

Robert McHale July 31, 2006

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RONALD JOHNSON, )  
 )  
Plaintiff, )  
 )  
vs. ) NO. 05 C 6545  
 )  
CITY OF CHICAGO, CHICAGO POLICE )  
OFFICER C. KATALINIC, CHICAGO )  
POLICE OFFICER R. McHALE, )  
CHICAGO POLICE OFFICER ARMOR )  
(STAR #6224), and UNKNOWN )  
CHICAGO POLICE OFFICERS, )  
 )  
Defendants. )

Deposition of ROBERT McHALE taken before  
CHERYL F. GILMAN, C.S.R. and Notary Public, pursuant  
to the Federal Rules of Civil Procedure for the United  
States District Courts pertaining to the taking of  
depositions, at Suite 100, 312 North May Street,  
Chicago, Illinois, commencing at 10:00 o'clock a.m. on  
the 31st day of July, A.D. 2006.

EXHIBIT

5

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Page 4

1 There were present at the taking of this  
2 deposition the following counsel:

3 LOEVY & LOEVY by  
4 MS. SAMATHA LISKOW and  
5 312 North May Street  
6 Suite 100  
7 Chicago, Illinois 60607  
8 (312) 243-5900

9 on behalf of the Plaintiff;

10 MS. KIMBERLY M. GRUNEWALD  
11 Assistant Corporation Counsel  
12 30 North LaSalle Street  
13 Suite 1610  
14 Chicago, Illinois 60602  
15 (312) 744-6951

16 on behalf of the Defendant,  
17 City of Chicago;

18 MS. PATRICIA J. KENDALL  
19 Assistant Corporation Counsel  
20 30 North LaSalle Street  
21 Suite 1610  
22 Chicago, Illinois 60602  
23 (312) 742-0117  
24 on behalf of the Defendants,  
Chicago Police Officer C. Katalinic,  
Chicago Police Officer R. McHale,  
Chicago Police Officer Armor  
(Star #6224), and Unknown Chicago Police  
Officers.

ALSO PRESENT:  
Officer Christopher Katalinic

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1 DEPOSITION OF  
2 ROBERT McHALE

3 July 31, 2006

4 EXAMINATION BY PAGE  
5 Ms. Liskow 4

6 \*\*\*\*\*

# EXHIBITS

13 McHale Deposition Exhibit No. 1 75  
14 McHale Deposition Exhibit No. 2 235  
15 McHale Deposition Exhibit No. 3 240

1 ROBERT McHALE,  
2 called as a witness herein, having been first duly  
3 sworn, was examined upon oral interrogatories and  
4 testified as follows:

## EXAMINATION

5 by Ms. Liskow:

6 Q Have you given a deposition before?

7 A Yes.

8 Q Okay. Let me just remind you of the ground  
9 rules.

10 I'm going to ask you a series of questions.

11 If for any reason you don't understand what I'm asking  
12 you or you need it repeated, please let me know.

13 If you do answer a question, I'll assume  
14 that you understood it.

15 Is that okay?

16 A Yes.

17 Q Also your responses need to be verbal as  
18 opposed to nods of the head because the court reporter  
19 needs to take everything down.

20 A Yes.

21 Q With that we're ready to begin.

22 Can you please state and spell your full  
23 name?  
24

1 A Robert, R-o-b-e-r-t, F as in Francis, McHale,  
2 M-c-H-a-l-e.

3 Q Is F Francis?

4 A Yes.

5 Q How long have you been with the Chicago  
6 Police Department?

7 A Fifteen years.

8 Q That would be what year?

9 A November, 1991.

10 Q Before the Chicago Police Department what  
11 were you occupied with?

12 A I did a couple of different years as clerks  
13 in mailrooms and went away to school.

14 Q The job before the Chicago Police Department,  
15 what was that?

16 A I worked at Kemper Financial.

17 Q How long did you work there?

18 A Six, almost seven years.

19 Q And what did you do there?

20 A I was a clerk, and then I was a manager.

21 Q Clerk doing --

22 A Mailroom.

23 Q Then were you a manager in the mailroom?

24 A Yes.

2 (Pages 2 to 5)

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<p>1 Q Before Kemper what did you do?</p> <p>2 A I went away to school for a few years, and I</p> <p>3 also worked at Northwest Industries in Sears Tower.</p> <p>4 For two years I was -- 18, 19, 20 years old, I was a</p> <p>5 clerk in the mailroom.</p> <p>6 Q I want to get the chronology down.</p> <p>7 Were you working at Northwestern Industries</p> <p>8 while you were going to school?</p> <p>9 A Part time going to school, full time working,</p> <p>10 yes.</p> <p>11 Q So you went to school part time --</p> <p>12 A At first, and then I went full time for a</p> <p>13 couple of years.</p> <p>14 Q Where did you go to school?</p> <p>15 A Western Illinois.</p> <p>16 MS. KENDALL: You're going to have to wait until</p> <p>17 she finishes her question before you answer.</p> <p>18 MS. LISKOW: That way it's easier for the court</p> <p>19 reporter.</p> <p>20 Q Where did you go to school?</p> <p>21 A Western Illinois.</p> <p>22 Q Western Illinois.</p> <p>23 Do you remember what year you started there?</p> <p>24 A '84.</p>	<p>1 A Yes.</p> <p>2 Q Did you receive a degree?</p> <p>3 A No.</p> <p>4 Q That was a total of about three years?</p> <p>5 A Yes.</p> <p>6 Q And where did you go to high school?</p> <p>7 A St. Francis de Sales.</p> <p>8 Q Where is that located?</p> <p>9 A In the southeast side of Chicago.</p> <p>10 Q And you graduated in '84?</p> <p>11 A '82.</p> <p>12 Q What did you do between '82 and '84 before</p> <p>13 you went to Western Illinois?</p> <p>14 A I was working right out of high school, and</p> <p>15 then I went away for a couple of years at school.</p> <p>16 Q Where did you work after high school?</p> <p>17 A Northwest Industries. '82 to '84.</p> <p>18 Q If I understand, you worked at Northwest</p> <p>19 Industries between high school and college, and you</p> <p>20 went away when you went to Western Illinois?</p> <p>21 A Yes.</p> <p>22 Q At Northwest Industries what did you do?</p> <p>23 A Mail clerk.</p> <p>24 Q You started at the Chicago Police Department</p>
Page 7	Page 9
<p>1 Q And you went part time?</p> <p>2 A I went full time there.</p> <p>3 Q Full time.</p> <p>4 And did you get a degree?</p> <p>5 A No.</p> <p>6 Q You went for what; complete year?</p> <p>7 A Away for two years.</p> <p>8 Q And then you went to another school after</p> <p>9 Western Illinois?</p> <p>10 A Part time.</p> <p>11 Q Where did you go?</p> <p>12 A Thornton Community College.</p> <p>13 Q Dirk?</p> <p>14 A Thornton.</p> <p>15 Harold Washington. Called Loop College back</p> <p>16 then.</p> <p>17 Q Loop College?</p> <p>18 A Loop, L-o-o-p.</p> <p>19 Q Okay.</p> <p>20 A And a couple of places, DePaul.</p> <p>21 Q DePaul?</p> <p>22 A Yes.</p> <p>23 Q You went to a number of different schools</p> <p>24 part time?</p>	<p>1 in 1991.</p> <p>2 What did you do when you started?</p> <p>3 A Patrol officer.</p> <p>4 Q Patrol officer?</p> <p>5 A Yes. I went to the academy and did patrol</p> <p>6 for about 12 years.</p> <p>7 Q How long did you go to the academy for?</p> <p>8 A Six to eight months, I believe.</p> <p>9 Q Were you in the same district for those</p> <p>10 twelve years, patrol?</p> <p>11 A Yes.</p> <p>12 Q What district?</p> <p>13 A The 5th. 5th District.</p> <p>14 Q And did you have the same detail during that</p> <p>15 time? What did you do on patrol?</p> <p>16 A Worked straight afternoons usually.</p> <p>17 Q Doing what?</p> <p>18 A In a marked car.</p> <p>19 Q Marked car?</p> <p>20 A As a rapid response unit.</p> <p>21 Q Did you have the same partner while you were</p> <p>22 there or did you switch partners?</p> <p>23 A Multiple partners.</p> <p>24 Q During that twelve years you worked in a</p>

3 (Pages 6 to 9)

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<p>1 marked car in the afternoons doing rapid response, is 2 that right, or did you -- 3 A Doing what? 4 Q You worked afternoons. 5 A Yes. I was handling calls. 6 Q For twelve years you had the same -- 7 A Yes. 8 Q You worked patrol. That was until 2003? 9 A Yes. 10 Technically it was short of 11. I was in 5, 11 and I came over to 4, and I was still working patrol a 12 couple of years. 13 Q You went to the 4th when? 14 A Somewhere in 2002. 15 Q And you were still working patrol? 16 A Yes. 17 Q Were you still working in the afternoons? 18 A Yes. 19 Q Still doing rapid response? 20 A Yes. 21 Q What does rapid response mean exactly? 22 A Different calls from a dispatch, and they're 23 usually higher priority calls, such as in progress. 24 Q So you worked at the 4th District 2002 doing</p>	<p>1 Q Why did you want to do it? 2 A Kind of get away from the everyday routine of 3 the constant calls of the zone. 4 Q So as a narcotic and gang officer things are 5 a little less predictable? 6 A It's not as routine as the mundane actually. 7 Q Have you found it to be less mundane? 8 A Occasionally. 9 Q So you did a to/from to the commander of the 10 4th District? 11 A Yes. 12 Q What else did you have to do to apply? 13 A Have a -- I guess a clean work record. I 14 don't really know other than that. 15 Q Did you have an interview? 16 A No. 17 Q So you did a to/from. And then you were told 18 at some point you were accepted on the team, is that 19 right? 20 A Yes. 21 Q How long between the time you did the to/from 22 asking to be part of the tactical was it until the 23 time you were selected on to a team? 24 A I don't know for sure. Maybe a month or two.</p>
Page 11	Page 13
<p>1 the same thing you were doing in the 5th District. 2 When did you change your detail -- I mean 3 did you continue to do patrol until this day? 4 A Yes. 5 Q So you're doing the same thing? 6 A No, not -- 7 Q When did you switch doing something 8 different? 9 A Probably November or so of 2004. 10 Q What did you do then in November, 2004? 11 A I went to a tactical team that worked with 12 Officer Katalinic. 13 Q Did you apply for the tactical team? 14 A Yes. 15 Q Who did you apply to? 16 A The commander of the 4th District. 17 Q What was involved in the application process? 18 A Just a to/from subject report stating that I 19 wanted to work plain clothes. 20 Q What does it mean to work plain clothes? 21 A Narcotics and gang officer. 22 Q Why did you want to become a narcotic and 23 gang officer? 24 A Something I wanted to do for several years.</p>	<p>1 Q And you said that you applied to be part of 2 the tactical with Officer Katalinic. 3 Does that mean you specifically asked to be 4 Officer Katalinic's partner? 5 A Yes. 6 Q Were you friends with him before? 7 A Yes. 8 Q How did you meet Officer Katalinic? 9 A I've been friends with his brother ever since 10 Chris was a little boy. 11 Q So were you friends with Chris as well 12 since -- 13 A Yes. 14 Q And was Officer Katalinic working in the 15 4th District at the time that you applied for the 16 tactical team? 17 A Yes. 18 Q How long had Officer Katalinic been on the 19 tactical team? 20 A Probably a couple of years at that point. 21 Q Did Officer Katalinic's partner leave? Is 22 that why there was a space available to work with him 23 on the tactical team? 24 A Yes, I believe. There was an opening. I'm</p>

4 (Pages 10 to 13)

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<p>1 not sure of the circumstances.</p> <p>2 Q So the commander accepted you on the team and</p> <p>3 accepted you as Officer Katalinic's partner, is that</p> <p>4 correct?</p> <p>5 A I believe so.</p> <p>6 Q And ever since you joined the team -- Did you</p> <p>7 join the team in November, 2004, is that right?</p> <p>8 A Approximately.</p> <p>9 Q You probably applied around October or</p> <p>10 September?</p> <p>11 A Possibly.</p> <p>12 Q Ever since you joined the tactical team, have</p> <p>13 you been partners with Officer Katalinic?</p> <p>14 A Primarily, yes.</p> <p>15 Q Primarily.</p> <p>16 When are you not partners with him?</p> <p>17 A If he's hurt or sick or I'm hurt or sick, you</p> <p>18 work with another teammate.</p> <p>19 Q So it's like a substitute partner?</p> <p>20 A Yes.</p> <p>21 Q When you started in November, 2004 on the</p> <p>22 tactical team, what shift did you work?</p> <p>23 A I don't recall.</p> <p>24 Q What time of day did you work? Did you have</p>	<p>1 already anticipated.</p> <p>2 A It's already determined.</p> <p>3 Q Okay. Do you and Officer Katalinic -- are</p> <p>4 you assigned to the same car?</p> <p>5 A Yes.</p> <p>6 Q Have you been assigned to the same car since</p> <p>7 November, 2004?</p> <p>8 A No.</p> <p>9 Q When did you switch cars?</p> <p>10 A Maybe about a year ago. Went to a gang team.</p> <p>11 Q So did it change since you started tactical?</p> <p>12 You're on a gang team now?</p> <p>13 A Yes.</p> <p>14 Q You weren't on a gang team in November, 2004?</p> <p>15 A No.</p> <p>16 Q So in November, 2004, until you started on</p> <p>17 the gang team, what were your duties and what were</p> <p>18 your responsibilities?</p> <p>19 A Gang, narcotics, disturbances.</p> <p>20 Q What was that last word?</p> <p>21 A Disturbances.</p> <p>22 Q So did you receive calls from dispatch and</p> <p>23 respond to --</p> <p>24 A Occasionally, yes.</p>
Page 15	Page 17
<p>1 a set time?</p> <p>2 A It may have been -- It could be 6:00 at night</p> <p>3 to 2:00 in the morning or it could have been 10:00 in</p> <p>4 the morning until 6:30 at night. I don't recall.</p> <p>5 Q Do you rotate shifts?</p> <p>6 A Yes.</p> <p>7 Q Explain to me how that works on the tactical</p> <p>8 team.</p> <p>9 A Every 28 days you change from one shift to</p> <p>10 the next. And then tactical there is a relief period</p> <p>11 also where you bounce days and afternoons multiple</p> <p>12 times a week.</p> <p>13 Q What does that mean exactly, you bounce days</p> <p>14 and afternoons?</p> <p>15 A You're filling in for teams that are off. So</p> <p>16 basically you're a fill-in. It's a more hectic</p> <p>17 schedule.</p> <p>18 Q You're like on call during that time?</p> <p>19 A No, you're scheduled.</p> <p>20 MS. KENDALL: Objection.</p> <p>21 Go ahead.</p> <p>22 A You're actually scheduled to work.</p> <p>23 MS. LISKOW: Q Scheduled, okay.</p> <p>24 So whenever there is a need that they've</p>	<p>1 Q That would be the disturbances part of it?</p> <p>2 A Yes. Sometimes.</p> <p>3 Q Then your gang and narcotics duties consisted</p> <p>4 of doing what? Did you respond to the call?</p> <p>5 MS. KENDALL: Objection to the form of the</p> <p>6 question.</p> <p>7 MS. LISKOW: Q What did you do as a gang and</p> <p>8 narcotics officer?</p> <p>9 A Respond to calls that were given.</p> <p>10 And we also did surveillance.</p> <p>11 Q And that were your duties from November, 2004</p> <p>12 until you started on the gang team?</p> <p>13 A That is correct.</p> <p>14 Q You started on the gang team you said about a</p> <p>15 year ago, is that right?</p> <p>16 A Yes.</p> <p>17 Q July, '05?</p> <p>18 A Possibly.</p> <p>19 Q And how did you become a member of the gang</p> <p>20 team?</p> <p>21 A There was an opening. Officer Katalinic and</p> <p>22 I applied. It's basically a lateral move.</p> <p>23 Q And when you say a lateral move, what do you</p> <p>24 mean by that?</p>

5 (Pages 14 to 17)

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<p style="text-align: right;">Page 18</p> <p>1 A Same duties, same pay. No prestige.  2 Q No prestige?  3 A No.  4 Q So then if you had the same duties and same  5 pay, why did you apply to the gang team?  6 A They don't have that relief period that I was  7 talking. Their hours are a little more steady.  8 Q What are the hours?  9 A Same 10:00 to 6:00 or 6:00 to 2:00 a.m. It  10 changes every 28 days also.  11 Q It's just not that relief period that you  12 have to cover.  13 A Yes. Correct.  14 Q So you're telling me that your duties are  15 essentially the same on the gang team as they were  16 when you were a member of the tactical team?  17 A Yes, pretty much.  18 Q What is difference between your previous --  19 your tactical team job and your gang team job?  20 A On a gang team you're more on gang problems  21 as opposed to overall crime. Primarily are given  22 aggravated batteries, shootings, homicides. We're  23 tied in a little bit closer with the detective  24 division.</p>	<p style="text-align: right;">Page 20</p> <p>1 that day?  2 MS. LISKOW: Q Do you remember going to work that  3 day, April 17, 2005?  4 A I believe so.  5 Q Do you remember what shift you were working  6 that day?  7 A Afternoons.  8 Q And afternoons was the 10:00 to 6:00 shift?  9 A No.  10 Q 6:00 to 2:00?  11 A 6:00 p.m. to 2:30 a.m.  12 Q What clothes would you wear on the tactical  13 team when you were working?  14 A T-shirt, jeans, bullet-proof vest, either  15 exposed or hidden.  16 Q Did you ever wear a uniform?  17 A On the tactical team?  18 Q Yes.  19 A On a rare occasion you do.  20 Q What rare occasion would those be?  21 A If the department needs you to be in uniform.  22 Q For what reasons would they need you in  23 uniform?  24 A Political rallies, anything where they think</p>
<p style="text-align: right;">Page 19</p> <p>1 Q When you say you're tied in closer with the  2 detective division, what does that mean exactly? Are  3 you communicating with the detectives?  4 A A little bit more.  5 Q Are they asking you to do certain things?  6 A Sometimes, but rarely.  7 Q So I want to make sure that I understand.  8 You do a lot of the same things you did on  9 tactical team, but you also address gang issues,  10 including aggravated batteries, shootings and  11 homicides, and you work with detectives sometimes?  12 A Correct.  13 Q What other duties do you have on the gang  14 team?  15 A Responding to calls that are still given to  16 us on a dispatch level.  17 Q So on April 17, 2005, you were on the  18 tactical team, is that correct? You had not yet moved  19 to the gang team?  20 A That is correct.  21 Q Do you remember what you did on April 17,  22 2005, the day that you encountered Ronald Johnson?  23 MS. KENDALL: Object to the form of the question.  24 What time period are you talking about on</p>	<p style="text-align: right;">Page 21</p> <p>1 you may be on call, sent downtown or somewhere else.  2 On April 17th we were in plain clothes.  3 Q You were what?  4 A Plain clothes.  5 Q So you would have been wearing a T-shirt and  6 jeans -- What were you wearing that day?  7 A I don't recall.  8 Q You don't recall.  9 But it would have been plain clothes?  10 A It would have been soft clothing, street.  11 Q And you always wore a T-shirt and jeans or  12 did you wear shorts sometimes?  13 A No, never shorts.  14 Q You always wore T-shirt and jeans?  15 A Or a jacket, yes.  16 Q When it was cold you would wear plain clothes  17 coat, is that correct, or --  18 A Something. Anything to cover your arms.  19 Q It was April. So -- Likely it was T-shirt  20 and jeans?  21 MS. KENDALL: Objection. Form of the question.  22 MS. LISKOW: Q Do you know if you were wearing  23 bullet-proof vest?  24 A My normal practice is to always wear it, so</p>

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Page 22

1 yes.  
 2 Q And you said sometimes you wore it over your  
 3 clothes and sometimes under, is that correct?  
 4 A Correct.  
 5 Q Do you remember how you were wearing the vest  
 6 on this day on April 17, 2005?  
 7 A I don't recall.  
 8 Q What determined why you would wear it over on  
 9 some days and under your clothes on other days?  
 10 A Severity of the weather. If it's too warm,  
 11 you don't wear it on your skin. If it's too cold, you  
 12 don't want it as the outer layer.  
 13 Q If you were just wearing a T-shirt and jeans,  
 14 would you wear the shirt over those clothes or  
 15 sometimes wear your vest under a T-shirt?  
 16 A Sometimes.  
 17 Q You don't know if on April 17, 2005 you wore  
 18 it over or under your clothes?  
 19 A That is correct, I don't know.  
 20 Q It could have been concealed?  
 21 MS. KENDALL: Objection to the form of the  
 22 question.  
 23 MS. LISKOW: Q It might not have been visible to  
 24 someone, your vest, underneath your clothes.

Page 23

1 MS. KENDALL: Objection, calls for speculation.  
 2 MS. LISKOW: Q If your vest was worn under your  
 3 clothing, would it be visible to someone looking at  
 4 you?  
 5 A No.  
 6 Q Do you remember going to work on April 17,  
 7 2005?  
 8 MS. KENDALL: Objection, asked and answered.  
 9 MS. LISKOW: Q You can answer it.  
 10 A I know I was there. I don't recall going,  
 11 but --  
 12 Q Did you drive your own car to work?  
 13 Do you drive your own car to work?  
 14 A Yes, I do.  
 15 Q So would you have driven your car to work on  
 16 that day?  
 17 A Yes.  
 18 Q When you get to work, I'm assuming you park  
 19 outside the station, is that correct?  
 20 A Correct.  
 21 Q And then what do you do next? Do you go  
 22 inside the station?  
 23 A Go inside the station. Basically go to your  
 24 roll call.

Page 24

1 Q Roll call is the first thing you do on a  
 2 shift?  
 3 A Pretty much, yes.  
 4 Q Do you go somewhere before roll call; to a  
 5 locker to put your things away?  
 6 A I may have.  
 7 Q Sometimes you do?  
 8 A Yes.  
 9 Q You don't remember what you did on  
 10 April 17th?  
 11 A No.  
 12 Q What -- What is discussed at roll call? What  
 13 kind of things are discussed?  
 14 A Certain crimes. Sometimes patterns, court  
 15 notifications.  
 16 Q Do you sometimes get specific assignments at  
 17 roll call?  
 18 A Yes.  
 19 Q Do you remember if you got a specific  
 20 assignment on April 17, 2005?  
 21 A No.  
 22 Q Do you recall anything about roll call that  
 23 day?  
 24 A No.

Page 25

1 Q And roll call, how long does that usually  
 2 last?  
 3 A Depends. Anywhere from five to fifteen  
 4 minutes.  
 5 Q And what did you usually do after roll call?  
 6 A Get in the squad car, meet up with your  
 7 partner and hit the street.  
 8 Q Now, on April 17 you were -- were you driving  
 9 the same squad car that you started driving when you  
 10 joined the tactical team?  
 11 A Yes.  
 12 Q Do you recall the car number or license plate  
 13 number?  
 14 A No.  
 15 Q What is the first thing you remember doing or  
 16 the first thing that you remember happening on  
 17 April 17, 2005?  
 18 A I have no idea.  
 19 Q Do you remember anything from that day?  
 20 A Just an arrest situation of Ronald Johnson.  
 21 Q So the first thing that you remember from  
 22 that day, your encounter with Ronald Johnson?  
 23 MS. KENDALL: Object to the form of the question.  
 24 MS. LISKOW: Q What is the first thing you

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<p>1 remember -- As we sit here today, what is the first  2 thing you remember happening or the first thing you  3 remember doing on April 17, 2005?  4 A I have no idea. Just a regular day.  5 Q You told me that you remember your encounter  6 with Ronald Johnson, correct?  7 A Yes.  8 Q Do you remember anything between the time you  9 woke up on April 17, 2005, to the time you encountered  10 Ronald Johnson on April 17, 2005?  11 A It was just a regular average day. I don't  12 recall -- I don't recall if I was in court earlier in  13 the day. I don't recall what I did prior to going to  14 work, but I know I was at work.  15 Q I understand it was a long time ago.  16 What I'm trying to determine is what is the  17 first thing -- As we sit here today, what is the first  18 thing that you can remember happening on that day?  19 MS. KENDALL: He's answered your question. Asked  20 and answered. Objection.  21 MS. LISKOW: I don't think so.  22 Q Was the first thing that you remember  23 happening on April 17, 2005 your encounter with Ronald  24 Johnson?</p>	<p>1 call, is that correct?  2 A Yes.  3 Q And approximately what time did you receive  4 that call?  5 A I don't recall exactly.  6 Q So you would have started work at 6:00 p.m.  7 A Yes.  8 Q Can you give me some estimate -- You said  9 about three hours into your shift, is that correct?  10 A Yes.  11 Q Around 9:00 o'clock, is that correct?  12 9:00 p.m.?  13 A I don't know for sure. It could be.  14 Q But could it have been before 7:00 p.m.?  15 A I don't believe so.  16 Q Could it have been after 10:00 p.m.?  17 A I don't believe so.  18 Q So is it safe to say around 9:00 p.m., is  19 that correct?  20 MS. KENDALL: Objection. Asked and answered.  21 MS. LISKOW: Q Is that correct?  22 A Not correct, but approximately.  23 Q Approximately. Okay. Approximately 9:00  24 p.m.</p>
Page 27	Page 29
<p>1 MS. KENDALL: Objection. Asked and answered.  2 MS. LISKOW: Q You can answer that question.  3 A Three hours into the tour we responded to a  4 call that involved Ronald Johnson.  5 Q Do you remember it being three hours into the  6 tour or is that something that you since learned from  7 these documents?  8 A Since refreshing of the documents, that is  9 what I recall.  10 Q So the documents do refresh your memory, is  11 that correct, that you can remember the call that you  12 received as we sit here today?  13 MS. KENDALL: Objection to the form of the  14 question.  15 MS. LISKOW: Q Do you remember receiving that  16 call?  17 A I do remember.  18 Q Do you remember anything between the time you  19 left roll call -- or the time that you woke up on  20 April 17, 2005 to the time that you received the call?  21 MS. KENDALL: Objection. Asked and answered.  22 A Nothing sticks out in my mind.  23 MS. LISKOW: Q The first thing you remember from  24 that day is receiving a call. There is a dispatch</p>	<p>1 What did the -- What did the dispatch say?  2 MS. KENDALL: Objection. Foundation.  3 MS. LISKOW: Q This call that you received you  4 think was approximately 9:00 p.m., what did you hear?  5 A Disturbance of a male black in dark clothing.  6 Involved in narcotic trafficking in the city at 7700  7 South Euclid.  8 Q You were given a disturbance.  9 Do you recall specifically what was said to  10 you over the radio?  11 MS. KENDALL: Objection, form of the question.  12 MS. LISKOW: Q Do you remember dispatch that  13 there was a disturbance?  14 A I don't recall exactly.  15 Q So you don't recall what words were used by  16 dispatch?  17 A Our calls usually aren't given over the air  18 like that.  19 Q How do you receive the call?  20 A They would call our beat number and say we're  21 sending something over. Basically like an e-mail that  22 you're getting that is not broadcast over the city  23 zone.  24 Q So you received it on the computer?</p>

8 (Pages 26 to 29)

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1 A Yes.  
 2 Q You didn't receive it auditorially, you  
 3 received it visually?  
 4 A I believe that is how we receive it.  
 5 Q Are you saying you believe because you can't  
 6 remember how you received it or you think it might  
 7 have been visually or do you remember receiving it  
 8 visually?  
 9 MS. KENDALL: Objection to the form of the  
 10 question.  
 11 MS. LISKOW: Q Do you remember receiving this  
 12 dispatch visually?  
 13 A Yes.  
 14 Q And what you remember is that there is a  
 15 disturbance involving a male black in dark clothing  
 16 who was involved in drug trafficking, is that correct?  
 17 MS. KENDALL: Objection, form of the question.  
 18 Misstates the testimony.  
 19 MS. LISKOW: Q Is that correct?  
 20 A That is how I answered it, I believe, to be.  
 21 Sure.  
 22 Q Did you receive any another information  
 23 besides what I just described?  
 24 A I don't recall.

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1 Q And the location you were given was 7700  
 2 South Euclid?  
 3 A Yes.  
 4 Q And what did you do -- What did you and your  
 5 partner -- What did you say to your partner or what  
 6 did your partner say to you right after receiving this  
 7 dispatch?  
 8 A I don't recall.  
 9 Q What do you recall happening next after  
 10 receiving this dispatch?  
 11 A I remember driving over to the area.  
 12 Q Were you driving?  
 13 A Yes.  
 14 Q Do you usually drive or do you and your  
 15 partner switch off?  
 16 A We switch off.  
 17 Q And how is it decided who is going to drive  
 18 on a given day?  
 19 A Not a scientific method. Whoever wants to  
 20 drive will drive.  
 21 Q Where were you when you received this  
 22 dispatch?  
 23 A Somewhere in the vicinity of the  
 24 4th District. Exactly where, I'm not sure.

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1 Q Can you estimate how far you were from 77th  
 2 and Euclid Avenue when you received this dispatch?  
 3 A I don't know.  
 4 Q Were you more than five blocks away?  
 5 A I don't recall.  
 6 Q You don't recall if you were more than ten  
 7 blocks away?  
 8 A I don't recall.  
 9 Q Could you have been one block away when you  
 10 received this dispatch from 7700 Euclid?  
 11 A I don't recall.  
 12 Q So you have no idea where you were? You  
 13 could have been anywhere in the 4th District, is that  
 14 correct?  
 15 A Yes. Correct.  
 16 Q How big is the 4th District?  
 17 A It's one of the bigger districts in the city.  
 18 Q What are the boundaries; do you know?  
 19 A 75th Street to 138th, and it goes from about  
 20 1000 east to 4100 east.  
 21 Q 4100 east?  
 22 A Yes.  
 23 Q What is the first thing you remember doing  
 24 after you received the dispatch, was driving to 7700

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1 Euclid, is that correct?  
 2 A Yes.  
 3 Q Do you remember what roads you took to get  
 4 there?  
 5 A No. I don't.  
 6 Q Do you remember anything about this drive?  
 7 A No, I don't.  
 8 Q Do you remember approximately how long it  
 9 took?  
 10 A I don't recall.  
 11 Q When you received the dispatch, did you  
 12 respond back to dispatch?  
 13 A I don't recall.  
 14 Q Would you normally have responded back to  
 15 dispatch after receiving such a call?  
 16 A Our normal practice was to say okay, ten  
 17 four.  
 18 Q What is the next thing you remember  
 19 happening?  
 20 A After arriving?  
 21 Q After receiving the dispatch and after  
 22 driving to the area.  
 23 A I know I approached 77th Street from the west  
 24 heading eastbound.

9 (Pages 30 to 33)

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Page 34	Page 36
<p>1 Q I'm sorry. You first were coming from the 2 west and you were -- 3 A Driving eastbound. 4 Q But you don't remember what street you were 5 on? 6 A 77th Street. 7 Q Around 77th. 8 A Approaching Euclid. I don't know where I was 9 exactly. 10 Q I'm sorry. I want to make sure. 11 You were on 77th driving? 12 A Yes. 13 Q What is the next thing you remember 14 happening? 15 A Seeing a single male black walking same 16 direction I was driving. 17 Q Where exactly were you when you first saw 18 this black male? 19 A I was approaching the corner of about 7658 20 South Euclid. 21 Q When you say 7658 South Euclid, do you 22 remember that address precisely or are you estimating 23 that is where you were on the block? 24 A I'm using an approximate address.</p>	<p>1 Q When you first saw the male when you were 2 approximately at 7658 South Euclid, where was he in 3 relation to you? 4 A About fifteen feet. Approximately fifteen, 5 twenty feet from the corner. 6 He was still west of Euclid. 7 Q From the corner of 77th and Euclid? 8 A Yes. 9 Q I'm not great at spatial relations. Can you 10 do me a favor and draw this for us? 11 Could you just draw -- this is an 12 approximation, I understand. It's not going to be to 13 scale -- draw the street? 14 MS. KENDALL: What streets do you want him to 15 draw? 16 MS. LISKOW: 77th and Euclid. 17 Q Could you do a north arrow? 18 And then could you mark on there with an M 19 where the black male was when you first saw him? 20 A Did you say M? 21 Q M formally. 22 And could you draw -- Could you mark with a 23 C where your car was when you first saw the male? 24 And could you write C2 to where you stopped</p>
Page 35	Page 37
<p>1 Q Does Euclid go one way? 2 A Yes. 3 Q Which way does it go? 4 A It goes southbound. 5 Q And you were driving which way on Euclid? 6 A I was driving on 77th and I stopped on the 7 corner. 8 I started turning my car in the direction 9 that I was going to start heading, in the opposite 10 direction on Euclid. 11 Q You were going to go north on Euclid? 12 A I was planning on stopping, but I was 13 planning -- The way my car was facing, I was almost 14 going to go in that direction. 15 Q North? 16 A Correct. 17 Q You would have -- You were planning to go the 18 opposite way, against traffic on Euclid, is that 19 correct? 20 A It appears to be, yes. 21 Q How long after seeing -- after first seeing 22 the black male did you -- and then time, how long 23 after seeing the black male did you stop the car? 24 A Probably moments.</p>	<p>1 finally? 2 Thank you. 3 Why did you stop the car? 4 A I was responding to the call, and Mr. Johnson 5 was the only person on the scene. 6 Q Did Mr. Johnson -- You're talking about -- 7 When you say Mr. Johnson, you're talking about this 8 black male who you saw? 9 A Yes. 10 Q Did he match the description on the dispatch? 11 A Yes. 12 Q What was he wearing? 13 A Dark clothing. 14 Q What kind of clothing? 15 A Darker jacket, I don't recall the style. I 16 believe he was wearing blue jeans. 17 And I also believe he had on a football 18 jersey. I don't know if it was on the top or the 19 bottom. 20 Q Were all these clothes visible to you when 21 you first saw him? 22 A The dark clothing was visible. The team logo 23 on his shirt, I don't recall. 24 Q So his jacket was open and he had a football</p>

10 (Pages 34 to 37)

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1 jersey underneath the jacket, is that correct?  
 2 A I believe he may have. I don't recall  
 3 exactly.  
 4 Q Was the football jersey a dark color?  
 5 A Yes.  
 6 Q Did you remember the team?  
 7 A No.  
 8 Q It was April, so was it a light jacket that  
 9 he had on?  
 10 MS. KENDALL: Objection to the form of the  
 11 question.  
 12 MS. LISKOW: Q Was it a light weight jacket that  
 13 he was wearing or a coat?  
 14 A I believe it was a coat.  
 15 Q Did that strike you as strange?  
 16 MS. KENDALL: Objection to the form of the  
 17 question.  
 18 A No.  
 19 MS. LISKOW: Q Was it cold that day?  
 20 A I don't recall the exact weather.  
 21 Q Do you remember whether it was cold or hot?  
 22 A No.  
 23 Q Was it raining that day?  
 24 A I don't recall.

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1 Q Do you recall anything about the weather?  
 2 A I don't recall rain. Cool weather I do  
 3 recall. I don't recall the exact --  
 4 Q You do recall cool weather?  
 5 A Yes.  
 6 Q When you say cool weather, do you mean you  
 7 recall it seeming cooler than a normal April day?  
 8 MS. KENDALL: Objection to the form of the  
 9 question.  
 10 MS. LISKOW: Q Did it strike you as a cooler day  
 11 than you normally experienced in April?  
 12 A I believe average.  
 13 Q When you first saw Ronald Johnson, what did  
 14 you say to your partner, if anything, and what did  
 15 your partner say to you, if anything?  
 16 A I don't recall exactly.  
 17 Q Do you recall saying anything to your partner  
 18 or did he say anything to you?  
 19 A Normally what I'd say is I think this is what  
 20 we're looking for.  
 21 Q But you don't know if you said that?  
 22 A I don't recall.  
 23 Q But you don't remember saying anything, if  
 24 you said anything to your partner?

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1 A I know I said something.  
 2 Q You know you said something?  
 3 A Yes.  
 4 Q But you don't know what it is?  
 5 A Exactly, no.  
 6 Q Did your partner say anything to you?  
 7 A I don't recall.  
 8 Q So he may have, he may have not?  
 9 A I don't know. I believe -- I believe I  
 10 spotted him first.  
 11 Q And how do you know you spotted him first?  
 12 How do you remember that?  
 13 A I don't know. I have that feeling that I  
 14 spotted him first.  
 15 Q You just have the feeling, you don't have any  
 16 specific memory?  
 17 A No.  
 18 Q Which way was Ronald Johnson walking?  
 19 MS. KENDALL: Objection. Asked and answered.  
 20 MS. LISKOW: Q When you first saw him?  
 21 I apologize if you answered that.  
 22 Which way was he walking?  
 23 A Eastbound on 77th.  
 24 Q What was he doing besides walking?

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1 A Just walking.  
 2 Q Was he walking a normal pace?  
 3 A I thought he was walking kind of hastened.  
 4 MS. KENDALL: Walking what?  
 5 A Hastened basis.  
 6 MS. LISKOW: Q Did that seem suspicious to you  
 7 the way he was walking?  
 8 A Yes.  
 9 Q Was there anything besides his hastiness that  
 10 made it seem suspicious?  
 11 A Yes.  
 12 Q What else was suspicious?  
 13 A He glanced at me a couple of times.  
 14 Q So he would be walking eastbound and you were  
 15 driving, he came from behind?  
 16 You were also driving eastbound, is that  
 17 correct?  
 18 A Correct.  
 19 Q So was he glancing over his shoulder at your  
 20 car or did he walk past you?  
 21 A When I was even, he looked me dead in my eye.  
 22 Q I'm sorry?  
 23 A When I was even with him, he looked me dead  
 24 in my eye.

11 (Pages 38 to 41)

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<p style="text-align: right;">Page 42</p> <p>1 Q You said he glanced a couple of times, 2 meaning twice or -- Is that an approximation? It 3 could have happened more than twice? 4 A It was more of a continual glance from the 5 point of being even to the point of when he stopped. 6 Q So he glanced at your -- When the car was 7 even with him he glanced at you once? 8 A I believe. 9 If you want to count it twice, you can count 10 it twice, but I think it was one continual glance. 11 Q And he continued to look at your car as it 12 passed, is that correct? 13 A Yes. 14 Q So what made you decide to stop the car? Was 15 it a combination of dark clothing and the hasty 16 walking and the glances? 17 A And the fact that we were looking in the area 18 for a person that matched the description, yes. 19 Q If Ronald Johnson had been walking at a 20 normal pace and hadn't been glancing at you, would you 21 still have stopped the car? 22 A I may have. 23 Q You may have. 24 Was there anything else suspicious about</p>	<p style="text-align: right;">Page 44</p> <p>1 A I'm telling you what I would have done 2 normally and what I believe to have done at that time, 3 also. 4 Q You believe you remember driving slowly 5 around this area? 6 MS. KENDALL: Objection to the form of the 7 question. Misstates his testimony. 8 MS. LISKOW: Q You remember driving slowly around 9 this area after you received the dispatch call, is 10 that correct? 11 A Once I had him in my eyesight, I believe I 12 slowed. 13 Q And you believe you slowed to about ten miles 14 an hour? 15 A Yes. 16 Q When you stopped the car, what happened next? 17 A I exited my vehicle. My partner exited the 18 vehicle also. 19 Q Did you exit at the same time? 20 A I don't know. 21 Q You don't remember? 22 A We probably did. 23 Q But you don't remember? 24 A I don't recall exactly.</p>
<p style="text-align: right;">Page 43</p> <p>1 Ronald Johnson when you were driving the car? 2 A Besides what I said? 3 Q Uh-huh. 4 A I believe that's all. 5 Q Did you stop the car suddenly? 6 A What do you mean by suddenly? 7 Q Did you slam on the brakes? 8 A I don't usually slam on my brakes. 9 Q How fast were you driving down the street 10 when you passed Ronald Johnson? 11 A I was slow. Less than ten miles an hour. 12 Q Did you slow down more when you saw him? 13 A That is my usual practice. 14 Q So you were going faster than ten miles an 15 hour when you saw him, correct? 16 A Probably before I got to him. I may have 17 been going slower than the speed limit. 18 Q You would have been going slower than the 19 speed limit just driving around? 20 A If you're approaching the address of what 21 you're looking at, sometimes you'll slow it up. 22 Q Do you remember driving slowly around this 23 area after you received this fast call or are you just 24 telling me what you would have done normally?</p>	<p style="text-align: right;">Page 45</p> <p>1 Q What happened next? 2 A I continued to make eye contact with 3 Mr. Johnson. I told him we were police. And I began 4 to approach him. 5 Q When you stopped the car -- Could you write 6 on there where Ronald Johnson was when you stopped the 7 car? Put M2. 8 A Even. So it's just about even with me. 9 Q So approximately how far away were you from 10 that M2 in feet or inches when you stopped -- when you 11 got out of the car? 12 A Probably ten to fifteen feet. 13 Q Was he still walking eastbound as you exited 14 your car or had he stopped? 15 A He stopped when I stopped and began a 16 conversation with him. 17 Q Did he stop when you exited the car or did he 18 stop when you started talking to him? 19 A Only when the conversation began he stopped. 20 Q How long after you exited the car did you say 21 something to him? 22 A Within a quick moment. 23 Q Now, you said you continued eye contact with 24 Mr. Johnson.</p>

12 (Pages 42 to 45)

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<p>1 Does that mean when you were driving, the 2 whole time you were maintaining eye contact with 3 Mr. Johnson? 4 A Operating the vehicle and watching traffic, 5 yes. 6 Q You were driving and waved him back? 7 A I was glancing entirely at him. 8 Q And he was maintaining eye contact with you 9 during that -- the time that you were driving? 10 A Yes. 11 Q So he wasn't glancing away? He wasn't 12 breaking your -- 13 A I don't recall. 14 Q And when you got out of the car, you said you 15 were still maintaining eye contact with him, correct? 16 A Yes. 17 Q Does that mean he was still maintaining eye 18 contact with you? 19 A Yes. 20 Q Would you describe his look or his eye 21 contact as challenging? 22 MS. KENDALL: Objection to the form of the 23 question. 24 MS. LISKOW: Q Did he seem -- Did his expression</p>	<p>1 Q And what do you remember saying on this day? 2 A Probably what I just said to you. 3 Q But do you remember saying that? 4 A Exactly, not verbatim. 5 Q Did you remember anything of what you said 6 right after you exited the car? 7 A Just we need to talk, dude. I need to talk 8 to you. 9 Q And that is about what you said or that is 10 what you actually -- 11 A That is about what I said. What I actually 12 said I don't know. 13 Q Where was your partner when you started 14 speaking with Mr. Johnson? 15 A He was coming around the front of the car. 16 Q So the car is parked this way, it was parked 17 facing eastbound? 18 A It was parked here. I believe my partner 19 came right here. 20 Q I'm sorry. The car was parked on -- 21 A I was parked going almost -- I hadn't quite 22 completed the turn. 23 Q Could you put an arrow in the direction that 24 the nose of your car was facing when it was parked?</p>
Page 47	Page 49
<p>1 seem challenging? 2 MS. KENDALL: Objection to the form of the 3 question. 4 MS. LISKOW: Q Did you perceive the expression as 5 challenging? 6 MS. KENDALL: Objection to the form of the 7 question. 8 MS. LISKOW: Q You can answer that. 9 A What do you mean by challenging? 10 Q People maintain eye contact for different 11 reasons. So one could stare someone down. 12 Did you feel that he was staring you down? 13 MS. KENDALL: Objection to the form of the 14 question. Calls for speculation. 15 MS. LISKOW: Q You can answer that. 16 A I don't know about staring down, but 17 definitely was looking at me. 18 Q Did he seem nervous? 19 A Yes. 20 Q You got out of the car and moments later you 21 said something to him. 22 What did you say to him? 23 A I stopped the car. And what I normally would 24 say bro, stop, I need to talk to you for a minute.</p>	<p>1 So it was pointed diagonally. 2 And so you're saying your partner came 3 around the front? 4 A Yes. 5 Q About how far away from you was the partner 6 when you first started speaking with Ronald Johnson? 7 A Probably ten to fifteen feet also. 8 Q And how far away was he from Ronald Johnson 9 when you first started speaking? 10 How far away from your partner, from Ronald 11 Johnson, when you first started speaking with Ronald 12 Johnson? 13 A Still probably ten to fifteen feet. 14 Q Would it be fair to say the three of you 15 formed a sort of triangle? 16 MS. KENDALL: Objection to the form of the 17 question. 18 A After the brief moment of the initial 19 response by me, my partner was able to position 20 himself behind Mr. Johnson two to three seconds after. 21 MS. LISKOW: Q I want to make sure I get the 22 sequence down. 23 You -- Moments after exiting your vehicle, 24 you started speaking with Mr. Johnson. And your</p>

13 (Pages 46 to 49)



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<p>1 partner came around the front of the parked car?</p> <p>2 A Yes.</p> <p>3 Q And at what point did your partner get behind</p> <p>4 Mr. Johnson?</p> <p>5 A Probably, like I said, anywhere from three to</p> <p>6 five seconds.</p> <p>7 Q Were you still speaking with Mr. Johnson when</p> <p>8 your partner got behind him?</p> <p>9 A Yes.</p> <p>10 Q So after you said basically I need to talk</p> <p>11 with you, so that is basically what you said to</p> <p>12 Mr. Johnson, is that correct?</p> <p>13 A That is correct.</p> <p>14 Q What else did you say to him or did he say to</p> <p>15 you?</p> <p>16 A He said something back to me.</p> <p>17 Q And what did he say?</p> <p>18 A Why are you stopping me?</p> <p>19 Q Did he say anything else?</p> <p>20 A Yes.</p> <p>21 Q What else did he say?</p> <p>22 A I said we're looking at some sales going on</p> <p>23 over in the area here.</p> <p>24 Basically I told him we had a call that we</p>	<p>1 Q Was it before or after you said you got a</p> <p>2 call there were some sales going on?</p> <p>3 A I don't recall.</p> <p>4 Q So you might have said it before that?</p> <p>5 A It was probably after, but I --</p> <p>6 MS. KENDALL: You guys have to talk one at a time.</p> <p>7 Go ahead. Finish.</p> <p>8 A I was stating to him why we were there and</p> <p>9 why we were stopping him.</p> <p>10 MS. LISKOW: Q So you're saying at some point you</p> <p>11 said to him we got a call, there is a sale going on,</p> <p>12 and you also asked for his ID, but you do not recall</p> <p>13 in what order you said these things to him, is that</p> <p>14 correct?</p> <p>15 A I probably -- The last thing I probably said</p> <p>16 to him was do you have identification.</p> <p>17 Q But you don't remember --</p> <p>18 A Exactly?</p> <p>19 Q Is that correct?</p> <p>20 A I think I do.</p> <p>21 Q So you remember that after you said you got a</p> <p>22 call, sales are going on, you then asked him for</p> <p>23 identification, is that correct?</p> <p>24 A Yes.</p>
Page 51	Page 53
<p>1 were responding to.</p> <p>2 Q And what happened next? Did he respond?</p> <p>3 A I don't recall.</p> <p>4 Q What do you recall happening after you said</p> <p>5 we have a call that is going on, what was the next</p> <p>6 thing you remember happening?</p> <p>7 A I continued to ask him if he had any</p> <p>8 identification on him.</p> <p>9 Q When you say continued, does that mean when</p> <p>10 you first got out of the car you asked him for</p> <p>11 identification?</p> <p>12 A No, it was a continual conversation.</p> <p>13 Q When was the first time that you asked him</p> <p>14 for identification?</p> <p>15 A Moments after I had put myself probably</p> <p>16 within a couple of feet of him.</p> <p>17 Q Did you ask him for identification before or</p> <p>18 after you said something to the extent of we have to</p> <p>19 ask you something?</p> <p>20 A Pardon me?</p> <p>21 Q You said the first thing you said --</p> <p>22 A It was after.</p> <p>23 Q After?</p> <p>24 A Yes.</p>	<p>1 Q How did you -- Do you remember how you</p> <p>2 said -- how you asked him for identification? What</p> <p>3 specific words you used?</p> <p>4 A I might have said ID.</p> <p>5 Q Just ID?</p> <p>6 A Do you have any ID?</p> <p>7 Q I just want to make sure up to this point</p> <p>8 I've got everything that's been said or happened.</p> <p>9 After you first exited the car you asked him</p> <p>10 to come talk to you, is that correct?</p> <p>11 A Yes.</p> <p>12 Q And then you said why are you stopping me?</p> <p>13 A Yes.</p> <p>14 Q And then you responded that you got a call</p> <p>15 about the sales, something to that effect, is that</p> <p>16 correct?</p> <p>17 A That is correct.</p> <p>18 Q And did he respond to you at that point?</p> <p>19 Before you asked him for identification, did he say</p> <p>20 anything or do anything?</p> <p>21 A Before I asked him?</p> <p>22 Q Before you asked him for ID.</p> <p>23 Between the time you said you got a call</p> <p>24 about sales going on.</p>

14 (Pages 50 to 53)

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1 A I don't recall saying anything else.  
 2 Q So the next thing after saying to him you got  
 3 a call about sales going on, the next thing you  
 4 remember is asking him for identification?  
 5 A Yes.  
 6 Q During this time your partner is staying  
 7 behind Ronald Johnson?  
 8 A Yes.  
 9 Q What is your partner doing?  
 10 A I believe watching Mr. Johnson. I was  
 11 business officer, he was the one that was watching and  
 12 controlling.  
 13 Q You said business officer?  
 14 A Yes, I was the one conducting business,  
 15 conversation.  
 16 Q Okay. When you say business officer, what  
 17 exactly do you mean by that?  
 18 A We were the one -- The business officer is  
 19 the one who is conducting the conversation.  
 20 Q Is it determined before you start a shift who  
 21 the business officer is going to be or does it change  
 22 from incident to incident?  
 23 MS. KENDALL: Objection to the form --  
 24 MS. LISKOW: Does it --

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1 MS. KENDALL: Let me make my objection.  
 2 Objection, foundation.  
 3 MS. LISKOW: Q How do you determine who is the  
 4 business officer?  
 5 MS. KENDALL: Objection, foundation.  
 6 Go ahead.  
 7 A A lot of times it's determined by who is  
 8 driving.  
 9 MS. LISKOW: Q Are you saying a lot of times --  
 10 It is usually the driver?  
 11 A That is what I'm saying.  
 12 Q Is it always the case?  
 13 A Not always.  
 14 Q When would it not be the case?  
 15 A If the driver isn't the person that  
 16 approaches the conversation.  
 17 Q So the first one to approach a conversation  
 18 becomes the business officer, is that fair to say?  
 19 A That is fair to say, yes.  
 20 Q How far behind Johnson was your partner  
 21 standing during the time you were talking to him --  
 22 around him?  
 23 A Approximately a couple of feet.  
 24 Q During the time that you were talking to

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1 Ronald Johnson and your partner was standing behind  
 2 Mr. Johnson, was Mr. Johnson looking at your partner  
 3 at all?  
 4 A I don't recall.  
 5 Q During this initial conversation that you had  
 6 with Mr. Johnson, was Mr. Johnson -- did he seem  
 7 suspicious to you?  
 8 A Did he seem suspicious?  
 9 Q Yes.  
 10 A Yes.  
 11 Q And what made him seem suspicious?  
 12 A Quick pace, walking, and the staring.  
 13 Q You mentioned to me what made you suspicious  
 14 when you were driving.  
 15 A Okay.  
 16 Q He was staring at the car while you were  
 17 driving.  
 18 What, during this initial conversation when  
 19 you were standing and speaking with Mr. Johnson made  
 20 you think that he seemed suspicious?  
 21 A He answered that he didn't have any  
 22 identification. Always arousing suspicion.  
 23 Q Was there anything about the way he was  
 24 talking to you that made him seem suspicious?

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1 A I don't recall.  
 2 Q Was there anything besides the fact that he  
 3 didn't have identification and the suspicious things  
 4 that you already mentioned, is there anything else  
 5 about him that made you think he was suspicious?  
 6 A I believe you've covered it.  
 7 Q Is it uncommon for someone not to have ID  
 8 when you ask for it?  
 9 A Uncommon?  
 10 Q Yes.  
 11 A Yes.  
 12 Q Most people have ID on them when you stop  
 13 them and ask them for it?  
 14 A The majority.  
 15 Q After you asked Mr. Johnson about his ID,  
 16 what is the next thing you remember that happened to  
 17 you? How did he respond to you?  
 18 You told me he didn't have ID. Did he say  
 19 something to that effect?  
 20 MS. KENDALL: Objection to form and foundation.  
 21 MS. LISKOW: Q What is the next thing you  
 22 remember happening after you asked Ronald Johnson for  
 23 identification?  
 24 A He stated he had none.

15 (Pages 54 to 57)

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1 Q How did he state that, do you remember?  
 2 A I don't know exactly. I believe he stated he  
 3 had no ID on him.  
 4 Q What happened next?  
 5 A I'd observed a box in his left hand.  
 6 Q What was the box?  
 7 A I believe it was a TOP paper roller and  
 8 tobacco holder.  
 9 Q How did you know it was a paper roller and  
 10 tobacco holder?  
 11 A I've seen it several times. I'm familiar  
 12 with it.  
 13 Q Was it a box containing those things?  
 14 A Supposed to, yes.  
 15 Q Did it say something about -- on the box did  
 16 it say that it contained a paper roller and tobacco  
 17 holder?  
 18 A It said TOP, T-O-P, which is what it is. It  
 19 was resembling a box of cigarettes.  
 20 Q So you've seen this box before, so you knew  
 21 what was inside of it?  
 22 A Yes.  
 23 Q What color was it or colors?  
 24 A White and yellow.

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1 Q It was in his left hand?  
 2 A Yes.  
 3 Q Did he seem to try to conceal it to you?  
 4 A It appeared to, yes.  
 5 Q How was he -- If you could tell me in words,  
 6 describe it in words, how was he concealing or trying  
 7 to conceal this box to you?  
 8 A It was against his leg.  
 9 Q So is it fair as to say he didn't succeed in  
 10 concealing it because you could still see part of the  
 11 box?  
 12 A Apparently, yes.  
 13 Q After you observed the TOP box, what happened  
 14 next?  
 15 A I asked him what he had in his hand.  
 16 Q Do you remember how you said that?  
 17 A I said what do you have in your hand.  
 18 Q And what happened next?  
 19 A He said just this box, I believe he said.  
 20 Q At this point when he said this box, did he  
 21 remove the box from against his leg?  
 22 A Yes, sir. And he brought it up to show me.  
 23 Q And what happened next?  
 24 A I reached for the box.

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1 Q Did you take the box from him?  
 2 A No.  
 3 Q Okay. So you reached for the box with what  
 4 hand? Do you remember?  
 5 A I don't recall.  
 6 Q What happened then?  
 7 A I --  
 8 Q I'm sorry. At this point you're still ten to  
 9 fifteen feet away?  
 10 A No.  
 11 Q At what point did you get closer to him?  
 12 A During the conversation.  
 13 Q Do you remember at what point in the  
 14 conversation?  
 15 A I was probably the closest to him when I was  
 16 asking him if he had identification on him. I was  
 17 within a foot and a half.  
 18 Q Is that because you were leaning towards him,  
 19 he was leaning towards you, or did you move toward  
 20 each other, do you remember?  
 21 A I believe I moved towards him.  
 22 Q When you moved towards him did he attempt to  
 23 move further back or did he stay in one spot?  
 24 A I remember him moving a little bit sideways.

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1 I think he felt uncomfortable. I don't know  
 2 for sure.  
 3 Q As you moved about a foot and a half -- is  
 4 that correct? What you said?  
 5 A Yes.  
 6 Q When you were asking him for his ID, is that  
 7 correct?  
 8 A That is correct.  
 9 Q And then when you reached -- When you reached  
 10 for the TOP box you were about a foot and a half away  
 11 from him, is that correct, or did you walk --  
 12 A A foot, a foot and a half.  
 13 Q Did you move forward at all in your attempt  
 14 to reach the box?  
 15 A No, just to reach with my arm.  
 16 Q What happened next?  
 17 A I was able to touch the box. But he pulled  
 18 the box back.  
 19 Q What happened next?  
 20 A A couple of knotted bags of cocaine, they  
 21 were clearly bags of cocaine, two of them, they fell  
 22 to the ground, and he began to run northbound.  
 23 Q He began to run --  
 24 A Northbound.

16 (Pages 58 to 61)

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1 Q Okay.  
 2 A When you wear a vest and a jacket, it's  
 3 bulked out more. So it brings your chest at least  
 4 three inches closer to your chin at that point.  
 5 Q During this time we're talking about, do you  
 6 remember if your partner's flashlight was still on?  
 7 A I don't remember.  
 8 Q You saw your partner's flashlight -- You saw  
 9 light from your partner's flashlight when you first  
 10 drove up, and after that did you see it again?  
 11 A No, I don't recall seeing it again.  
 12 Q You do remember that you had at least one of  
 13 your arms and hands were trying to get Mr. Johnson's  
 14 arms out from under his body, is that correct?  
 15 A Yes.  
 16 Q And during this time, what is your partner  
 17 doing?  
 18 A Also trying to handcuff him.  
 19 Q Are you and your partner right next to each  
 20 other?  
 21 A Yes.  
 22 Q Is your partner trying to get -- Is he coming  
 23 from Mr. Johnson's left side trying to get his arms  
 24 out from underneath him on that side and were you

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1 coming from --  
 2 A I believe so.  
 3 Q Do you know who first managed to get -- first  
 4 managed to get one of Mr. Johnson's arms out from  
 5 under him?  
 6 A I believe he did.  
 7 Q Your partner?  
 8 A Yes.  
 9 Q Do you believe that the arm that came out  
 10 from Mr. Johnson was Mr. Johnson's left arm?  
 11 A Yes.  
 12 Q How long did it take between the time you got  
 13 to Mr. Johnson and the time that one of you managed to  
 14 get Mr. Johnson's left arm out from underneath him?  
 15 A Kind of tiring. At least a minute.  
 16 Q At least a minute.  
 17 A Mr. Johnson was putting up a fight.  
 18 Q During this time what did you say to your  
 19 partner and what did your partner say to you?  
 20 A I don't recall.  
 21 Q Do you recall saying anything to your  
 22 partner?  
 23 A Chris may have said I got his wrist, I got  
 24 his wrist. I don't -- Other than that I don't recall

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1 anything that he said.  
 2 Q Do you remember that being said, I got his  
 3 wrist, I got his wrist?  
 4 A I remember something.  
 5 MS. KENDALL: Have you finished?  
 6 A I believe that was said.  
 7 MS. LISKOW: Q And was that said -- At what point  
 8 was that said?  
 9 A At the beginning of the handcuff. Probably  
 10 within 45 seconds to a minute after the struggle  
 11 began.  
 12 Q Was that said before or after one of you  
 13 managed to get Mr. Johnson's arm out from underneath  
 14 him?  
 15 A It was said after.  
 16 Q During the time, and we're going from the  
 17 time you reached Mr. Johnson to the time that one of  
 18 you pulled Mr. Johnson's arm out from under him, what  
 19 did Mr. Johnson say to you, either you or your  
 20 partner, and what did you and/or your partner say to  
 21 Mr. Johnson, if anything?  
 22 A Probably stop resisting.  
 23 Q Do you remember saying stop resisting?  
 24 A Yes.

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1 Q How many times do you remember saying that?  
 2 A More than once.  
 3 Q To like --  
 4 A Several times.  
 5 Q Several times.  
 6 Did your partner say that to Mr. Johnson?  
 7 A Yes.  
 8 Q Did he say it several times?  
 9 A Yes.  
 10 Q In what manner did you say stop resisting?  
 11 A Probably in an agitated --  
 12 Q Were you yelling, screaming?  
 13 A I don't know about yelling.  
 14 Q What else did your partner say to Mr. Johnson  
 15 during this time?  
 16 A I don't recall anything.  
 17 Q What else did you say to Mr. Johnson?  
 18 A Stop resisting.  
 19 Q What did Mr. Johnson say to you or your  
 20 partner during this time?  
 21 A I don't recall him saying anything.  
 22 Q Are you saying that you don't think he  
 23 said -- you don't remember him saying anything or you  
 24 can't recall whether he said anything?

25 (Pages 94 to 97)



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1 A I don't remember him saying anything.  
 2 Q You don't think he said something?  
 3 MS. KENDALL: Objection. Objection. Asked and  
 4 answered. Mischaracterizes what he said.  
 5 MS. LISKOW: Q Did he say anything during this  
 6 time?  
 7 A No.  
 8 Q What happened after one of you managed to get  
 9 one of Mr. Johnson's arms out from under him?  
 10 A Handcuff was placed on him.  
 11 Q Who placed the handcuffs on him?  
 12 A My partner.  
 13 Q Was that done with -- Strike that.  
 14 At some point did your partner get  
 15 Mr. Johnson's other arm out from under him?  
 16 A Yes.  
 17 Q Did that happen before he was handcuffed?  
 18 A One cuff was on and the other hand was in  
 19 back but the cuff was still off.  
 20 Q At this time your partner handcuffed  
 21 Mr. Johnson's left hand?  
 22 A Yes.  
 23 Q And then what happened?  
 24 A After the handcuffs were placed, I was able

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1 to get his right hand into the cuffs.  
 2 Q How were you able to do that? Did you pull?  
 3 A I believe at this point he was just fatigued  
 4 and gave up.  
 5 Q Would you say at this point he stopped  
 6 resisting, at the point that he was -- his left arm  
 7 was handcuffed?  
 8 A Probably.  
 9 Q How did you know Mr. Johnson was fatigued?  
 10 A It seemed like once the handcuff was on him,  
 11 then he gave up at that point. There was a lot of  
 12 heavy breathing going on.  
 13 Q So it's possible that he gave up for another  
 14 reason besides being fatigued? You don't know?  
 15 A I don't know.  
 16 MS. KENDALL: Objection.  
 17 Go ahead.  
 18 A I don't know for sure.  
 19 MS. LISKOW: Q Were you sweating during this?  
 20 A I don't recall.  
 21 Q Do you know if Mr. Johnson was sweating?  
 22 A I don't recall.  
 23 Q You don't recall if your partner was  
 24 sweating?

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1 A I don't know.  
 2 Q What is the next thing that -- Strike that.  
 3 From the time that you got to Mr. Johnson in  
 4 the yard and the time that your partner managed to  
 5 handcuff him, approximately how long was that?  
 6 A A minute. A minute and a half possibly.  
 7 Q What is the next thing that happened after  
 8 your partner handcuffed Mr. Johnson?  
 9 A I'd come over there on his own and stated  
 10 that we were going to go chase him.  
 11 Q But you weren't in the chase, is that  
 12 correct, at that point?  
 13 A We were in a foot chase.  
 14 Q Why you did you say you were in a foot chase?  
 15 A Because the man ran from us and that led to a  
 16 foot chase.  
 17 Q When you say you were in a foot chase, do you  
 18 mean that you were saying you had been in a foot  
 19 chase?  
 20 A I stated instantly we've got a male black  
 21 running northbound on Euclid.  
 22 Q You said that after Mr. Johnson was  
 23 handcuffed?  
 24 A No.

Page 101

1 Q Okay. My question was, what is the first  
 2 thing that you remember happening after your partner  
 3 handcuffed Mr. Johnson?  
 4 A After?  
 5 Just Mr. Johnson's girlfriend coming down  
 6 from the first floor apartment, 7630.  
 7 Q We'll come back to that. I'd like to talk  
 8 about this radio communication that you made.  
 9 When did that occur?  
 10 At what point during this whole series of  
 11 events that we've talked about did that occur?  
 12 A Once Mr. Johnson ran from the scene, probably  
 13 somewhere 20 after 9:00.  
 14 Q Did you make that call before you got to your  
 15 car?  
 16 A I think as I was in my car I probably did.  
 17 Q As you were in your car driving?  
 18 A Yes.  
 19 Q And what did you say exactly?  
 20 A I don't recall.  
 21 Q But you said something to the effect of we're  
 22 in a foot chase?  
 23 A To the effect of, yes.  
 24 Q And did you describe the suspect you were

26 (Pages 98 to 101)

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1 chasing?  
 2 A Either I may have or my partner may have.  
 3 Q When would your partner have radioed a  
 4 description of the suspect?  
 5 A As he was chasing.  
 6 Q Do you know if he radioed while he was  
 7 chasing?  
 8 A I don't know if he did. I know I did.  
 9 Q Is it hard to radio while you're sprinting  
 10 after someone?  
 11 A Yes, but it's done all the time.  
 12 Q Have you done it before?  
 13 A Yes.  
 14 Q Did you ever find out if your partner radioed  
 15 while he was chasing after Mr. Johnson?  
 16 A I don't know.  
 17 Q But you definitely radioed?  
 18 A Yes.  
 19 Q And you radioed that you were involved in a  
 20 foot chase.  
 21 And I'm sorry, you said you radioed at that  
 22 point a description of the suspect or not?  
 23 A Vaguely.  
 24 Q You think you did?

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1 A Yes.  
 2 Q Do you remember how you described  
 3 Mr. Johnson?  
 4 A Male black in his 20s. I didn't know his  
 5 age. I said we're northbound on Euclid from 77th.  
 6 That was it.  
 7 Q Do you usually -- When you radio in a  
 8 description of a suspect, do you usually mention what  
 9 age they appear to be?  
 10 A If you can.  
 11 Q So it's standard to say gender, race and age?  
 12 A If you can, height and age, clothing  
 13 description.  
 14 Q Okay. So --  
 15 A Age is probably more towards the bottom.  
 16 Q Did you describe Mr. Johnson's height or  
 17 clothing on this radio communication?  
 18 A I don't believe I did.  
 19 Q Why not?  
 20 A It happened so quick, I don't know what was  
 21 said for sure.  
 22 Q But you think you remember -- You remember  
 23 saying -- giving his gender, race and age --  
 24 approximate age?

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1 A I think I did.  
 2 Q Do you know that because you have seen a  
 3 summary of what you said or heard what you said at  
 4 this incident?  
 5 A I remember saying certain things, and I was  
 6 refreshed by something I'd seen.  
 7 Q What was that thing that you were refreshed  
 8 by?  
 9 A Pardon me?  
 10 Q What was the thing that you saw that  
 11 refreshed your recollection of what you said over the  
 12 radio?  
 13 A Query of events that is printed out.  
 14 Q You looked at that in preparation for this  
 15 deposition?  
 16 A Yes.  
 17 Q I just want to make sure that I don't miss  
 18 anything, any of the events that occurred during this  
 19 time.  
 20 Did you make any other radio communication  
 21 before -- between the time you first saw Mr. Johnson  
 22 walking down the street and the time that your partner  
 23 handcuffed Mr. Johnson?  
 24 A No.

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1 Q All right. We'll go back to the moment --  
 2 right after your partner handcuffed Mr. Johnson.  
 3 You were telling me that the first thing you  
 4 remember is Mr. Johnson's girlfriend.  
 5 A Coming downstairs.  
 6 Q Could you describe for me the building at  
 7 7630?  
 8 A I believe it's a two-flat. Glass door.  
 9 That is all I recall.  
 10 Q Do you recall what it was made of?  
 11 A Brick.  
 12 Q Do you know --  
 13 A I don't know if it's brown or red. I don't  
 14 know.  
 15 Q Was there anything else about this building  
 16 that you remember?  
 17 A Not really.  
 18 Q Where -- Where was Mr. Johnson's girlfriend  
 19 when you first saw her?  
 20 A At the front door.  
 21 Q Was she standing like in the doorway or was  
 22 she outside of the house?  
 23 A She opened up the door, standing in the  
 24 doorway.

27 (Pages 102 to 105)

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<p>1 Q What did she look like?</p> <p>2 A Female black, early 40s, medium height.</p> <p>3 Q What was she wearing?</p> <p>4 A I can't recall.</p> <p>5 Q What was her hair like?</p> <p>6 A Pardon me?</p> <p>7 Q What was her hair like?</p> <p>8 A I don't recall.</p> <p>9 Q Was it long?</p> <p>10 A I don't recall.</p> <p>11 Q Do you remember anything about her?</p> <p>12 A Not much, no.</p> <p>13 Q What else do you remember?</p> <p>14 A Average height, average weight. Really not</p> <p>15 much more.</p> <p>16 Q Where were you when you first saw</p> <p>17 Mr. Johnson's girlfriend? Were you still right next</p> <p>18 to Mr. Johnson?</p> <p>19 A Yes.</p> <p>20 Q What was the first thing you remember about</p> <p>21 Mr. Johnson's girlfriend? What did she do or say?</p> <p>22 A She wondered what was going on.</p> <p>23 Q She said that?</p> <p>24 A Yes.</p>	<p>1 A Yes.</p> <p>2 Q Why did you think she would know who this guy</p> <p>3 was?</p> <p>4 A Because he was laying on the ground. After</p> <p>5 he was handcuffed he said he lived there.</p> <p>6 Q Let's go back to right after your partner</p> <p>7 handcuffed Mr. Johnson.</p> <p>8 What is the first thing that you remember</p> <p>9 your partner saying to you or you saying to your</p> <p>10 partner?</p> <p>11 A After he was handcuffed?</p> <p>12 Q After Mr. Johnson was handcuffed.</p> <p>13 A I don't remember saying much. I just</p> <p>14 remember Mr. Johnson stating that he lived there.</p> <p>15 Q Mr. Johnson stated that he lived there before</p> <p>16 or after you first saw Mr. Johnson's girlfriend?</p> <p>17 A I think only after I seen the girlfriend. He</p> <p>18 was stating -- Strike that.</p> <p>19 He was saying before the girlfriend was</p> <p>20 asked who he was that he lived there.</p> <p>21 Q Are you saying that between the time when you</p> <p>22 first saw the girlfriend and she asked you what is</p> <p>23 going on, that is when Mr. Johnson said that he lived</p> <p>24 in the house, is that correct?</p>
Page 107	Page 109
<p>1 Q How did -- What did she say?</p> <p>2 A She asked what was going on. She just said</p> <p>3 what is going on.</p> <p>4 Q What was her tone?</p> <p>5 A She wasn't that excited. I think she was</p> <p>6 just inquiring and concerned.</p> <p>7 Q Was she hostile?</p> <p>8 A No.</p> <p>9 Q How far away were you from the house at the</p> <p>10 point when you first saw Mr. Johnson's girlfriend?</p> <p>11 A Seven to ten feet.</p> <p>12 Q So it wasn't hard to hear her? You were</p> <p>13 close enough that --</p> <p>14 A It was -- No. Almost from here to the door</p> <p>15 behind you.</p> <p>16 Q So you heard her clearly?</p> <p>17 A Yes.</p> <p>18 Q She wasn't yelling or anything?</p> <p>19 A No.</p> <p>20 Q After she asked what is going on, something</p> <p>21 to that effect, what happened next?</p> <p>22 A We were asking who this guy was.</p> <p>23 Q So in response to her saying what was going</p> <p>24 on, you asked her who this guy was?</p>	<p>1 A Yes, after he stopped struggling.</p> <p>2 Q After he stopped struggling or after he was</p> <p>3 handcuffed?</p> <p>4 A After he was handcuffed, which is basically</p> <p>5 he stopped struggling. It's one and the same.</p> <p>6 Q My interpretation of what you said earlier,</p> <p>7 he stopped struggling after one of his arms was placed</p> <p>8 into handcuffs.</p> <p>9 MS. KENDALL: Objection to the form of the</p> <p>10 question. His testimony is his testimony. Your</p> <p>11 interpretation is not relevant.</p> <p>12 MS. LISKOW: Q Is that correct?</p> <p>13 A No.</p> <p>14 Q So he didn't stop struggling until he was</p> <p>15 fully handcuffed, both wrists --</p> <p>16 A It was easier to cuff the second one than the</p> <p>17 first one, but the struggle wasn't over until he was</p> <p>18 cuffed by both of them.</p> <p>19 Q Did he say I live in this house before or</p> <p>20 after you first saw his girlfriend?</p> <p>21 MS. KENDALL: Objection. Asked and answered.</p> <p>22 MS. LISKOW: Q If you remember.</p> <p>23 A I remember him saying before the girlfriend</p> <p>24 opened the door that he had lived there.</p>

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1 Q And you didn't see the girlfriend before she  
2 opened the door, is that correct?  
3 A No.  
4 Q And did he just say I live there or did he  
5 announce about himself or --  
6 A I don't recall him saying anything else.  
7 Q He didn't say I live there, can I go inside?  
8 He just said I live there?  
9 MS. KENDALL: Objection. Asked and answered.  
10 A He just said I live there.  
11 MS. LISKOW: Q Which -- Who asked Mr. Johnson  
12 girlfriend who Mr. Johnson was? Was it you or was it  
13 your partner?  
14 A I don't recall.  
15 Q Do you recall what you or your partner said  
16 exactly to Mr. Johnson's girlfriend?  
17 A I recall he asked me who he was. I can't say  
18 for sure what he said.  
19 Q Your partner might have asked the same thing?  
20 A He might have.  
21 Q After you asked who Mr. Johnson was, what is  
22 the next thing that happened?  
23 A That is about when she opened the door and  
24 stated that was her boyfriend and he lived there.

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1 Q I thought you said -- So -- I thought you  
2 said the door was open and she was standing in the  
3 doorway when you asked who Mr. Johnson was?  
4 A She came down after a brief minute, came  
5 down.  
6 Q Were there steps from the door?  
7 A From her apartment down? Which?  
8 She came -- She probably -- She had to  
9 travel down at least ten steps until she hit the  
10 hallway of the two-flat.  
11 Q I want to know --  
12 A She came -- The apartment is downstairs  
13 there.  
14 Q You're able to see the door to the upstairs  
15 apartment from the yard?  
16 A You could see the landing.  
17 Q She came out to the landing?  
18 A Yeah. She came down from the landing down to  
19 the bottom landing.  
20 Q When you first saw her and you were first  
21 speaking with her, she was upstairs?  
22 A No, she was at the doorway.  
23 Q On the first level?  
24 A Yes. The main door.

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1 Q Okay. Now, when you said she had to come  
2 down ten steps or so, where was she coming from when  
3 you said she had to come down the ten steps?  
4 A I didn't see her come down ten steps. I'm  
5 giving you a brief -- what the building is.  
6 All I know she appeared at the front door.  
7 She opened the front door and asked what was going on.  
8 Q You're saying that you supposed that she must  
9 have come down some steps to get to the front door?  
10 A I'm supposing that. Yes.  
11 Q When you first started speaking with her, she  
12 first spoke with you, she was in the doorway, front  
13 doorway, sort of in the door frame, is that correct?  
14 A Correct.  
15 Q And then you asked her who Mr. Johnson was,  
16 and then she came out to the yard?  
17 A She remained at the door.  
18 Q Okay.  
19 A She was having a conversation at the door,  
20 seven to ten feet away.  
21 Q I thought you said she moved forward at some  
22 point between the time you first spoke with her and  
23 the time --  
24 A I don't recall saying that.

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1 Q She stayed in the doorway.  
2 You asked who is Mr. Johnson when  
3 Mr. Johnson's girlfriend is still standing in the  
4 doorway?  
5 A Yes.  
6 Q What happens next?  
7 A She states that he's my boyfriend, and he  
8 lives here with me.  
9 Q Did she say what his name was?  
10 A I don't recall.  
11 Q What happened next?  
12 A Continued to ask her if he had any  
13 identification, stating that he lived there or if he  
14 had any identification at all.  
15 Q And what did she say to that?  
16 When you say we asked her, do you remember  
17 if it was you or your partner asking?  
18 A I believe it was me.  
19 Q What happened next after you asked her if he  
20 had any ID?  
21 A She stated yes, it was upstairs.  
22 Q When you say I continued to ask her if she  
23 had any ID, had you asked her that previously?  
24 A We were asking a couple of times.

29 (Pages 110 to 113)

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1 Q So during -- So far you've said -- My  
2 understanding is that you said to her who is this guy?  
3 And she answered my boyfriend, he lives here.  
4 When in that conversation before this point  
5 did you ask whether he had any identification?  
6 MS. KENDALL: Objection. Form of the question.  
7 A Soon after.  
8 MS. LISKOW: Q Do you remember when you first  
9 asked about it, whether he had any identification?  
10 A Yes, but it was soon after, and who is he to  
11 you.  
12 Q You may have asked that a number of times?  
13 A I asked her twice.  
14 Q You asked her twice.  
15 Like twice in a row or -- two different  
16 times in the conversation?  
17 A Sometimes you'll ask a couple of times to see  
18 if they're lying.  
19 Q Do you remember asking that question right in  
20 a row twice? Did you have any ID and --  
21 A It was immediate, one after the other.  
22 Q And she responded yes, it's upstairs?  
23 A Yes.  
24 Q Was she being relatively pleasant during this

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1 encounter?  
2 A Yes, she was nice.  
3 Q Did she seem upset about anything -- Did she  
4 seem upset?  
5 A No.  
6 Q Not at all?  
7 A No.  
8 Q What happened next?  
9 A She said she was going to get the ID.  
10 Q And during this time what was your partner --  
11 where was your partner positioned in relation to  
12 Mr. Johnson?  
13 A Right next to him.  
14 Q Was he holding on to his handcuffs?  
15 A He was just standing close to him.  
16 Q Where was Mr. Johnson? Was he laying on his  
17 stomach still?  
18 A Either on his side or rear end, sitting.  
19 Q And had he gotten to that point by himself or  
20 had someone helped him?  
21 A I don't know.  
22 Q Could someone that is handcuffed face down on  
23 the ground get to a seated position by themselves?  
24 A Yes.

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1 Q And by that, with his handcuffs behind their  
2 back?  
3 A Yes, I know what you mean.  
4 Q He may have gotten there by himself or  
5 someone may have helped him?  
6 A He may have gotten there by himself.  
7 Q Do you remember helping him?  
8 A I don't recall.  
9 Q You may have helped him?  
10 A I don't think I did.  
11 Q Your partner may have helped him?  
12 A He may have.  
13 Q So he was either leaning or sitting?  
14 A Yes.  
15 Q Was he facing the house?  
16 A I don't recall.  
17 Q During the time that you were speaking -- you  
18 and your partner were speaking with Mr. Johnson's  
19 girlfriend, was Mr. Johnson saying anything to either  
20 his girlfriend or to you or to your partner?  
21 A No, not that I can recall.  
22 Q After Mr. Johnson's girlfriend said I'll get  
23 the ID, what happened next?  
24 A She went and got the ID. Returned with I

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1 believe a State of Illinois ID belonging to Ronald  
2 Johnson.  
3 Q And she came out and handed it to you?  
4 A Yes.  
5 Q Not to your partner, but to you?  
6 A I believe it was to me.  
7 Q What happened next?  
8 A We continued to make conversation with her.  
9 Q And what was the first thing after she  
10 brought the ID out that either you said to her or she  
11 said to you?  
12 A He lives here with me. And we had a family  
13 party here today. And that he walked out.  
14 Q He walked out?  
15 A Yes.  
16 Q What was your interpretation of what she  
17 meant by that?  
18 A We'd asked how long he'd been gone, and she  
19 said she didn't know for sure. But she said something  
20 to the fact of was he out buying drugs again?  
21 Q She said to you was he out buying drugs  
22 again?  
23 A Yes.  
24 Q In what tone of voice did she ask you that?

30 (Pages 114 to 117)

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1 Q Was she yelling again or had she stopped  
2 completely?  
3 Did she ever yell again?  
4 A I don't recall.  
5 Q She might have been yelling, she might not  
6 have been?  
7 A She might have been.  
8 Q Was there like a light, front door light, or  
9 any sort of light inside the house?  
10 A I don't recall.  
11 Q Do you recall it being hard to see the girl  
12 when she was standing in the doorway?  
13 A No.  
14 Q So you could see her?  
15 A Yes.  
16 Q But you don't remember if there was any  
17 lighting her?  
18 A No.  
19 Q Where was the girlfriend when your partner  
20 was searching the area at 7630 South Euclid?  
21 A In the stairwell.  
22 Q So she'd joined her daughter?  
23 A She had -- She was downstairs.  
24 Q Was she at the same location she was at when

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1 you were talking to her about Mr. Johnson's habit?  
2 A I moved in, and she walked up a few stairs.  
3 That is when the daughter basically followed her.  
4 Q When did you move in -- When you say move in  
5 when did you do that?  
6 A I went into the door.  
7 Q And when? At what point during this did you  
8 do that?  
9 A Probably for the last part of the  
10 conversation about wanting to know a little bit more  
11 about where he gets his drugs.  
12 Q So you weren't standing on the lawn when you  
13 had that conversation. You were in the doorway?  
14 A Right. When I had what you call the third  
15 conversation I was inside.  
16 Q Inside --  
17 A The main entry.  
18 Q You were in the main entry before the  
19 daughter came down, is that correct?  
20 A No.  
21 Q So the daughter came down before you had the  
22 conversation with --  
23 A Yes.  
24 MS. KENDALL: Let her finish the question.

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1 MS. LISKOW: Q -- about the -- where Mr. Johnson.  
2 got his drugs?  
3 A Yes.  
4 Q And she yelled obscenities before you had the  
5 conversation with Mr. Johnson's girlfriend about where  
6 Mr. Johnson got his drugs, is that correct?  
7 A Correct.  
8 Q How long after the girl stopped yelling did  
9 she move into the doorway or -- Well, let me actually  
10 ask you. What do you mean by made entry?  
11 A I walked inside the front door of the main  
12 entrance, and I had met her about three stairs up.  
13 Q You met her, you mean Mr. Johnson's  
14 girlfriend?  
15 A Yes.  
16 Q At what point did she move into the  
17 entranceway?  
18 A After the daughter was calling us names.  
19 Q Do you remember what, if anything,  
20 Mr. Johnson's girlfriend said to her daughter?  
21 A I think she just said stop it, I'm all right.  
22 Q And then she started to go up the stairs?  
23 A Yes, she was walking up the stairs and I was  
24 following her.

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1 Q Did she say to follow you? Did she ask you  
2 to follow her?  
3 A I'd just gone up there and taken a couple of  
4 stairs. She didn't ask me.  
5 Q So you weren't invited then?  
6 A What do you mean?  
7 Q You weren't invited into the stairwell?  
8 A I was. To talk away from Mr. Johnson.  
9 Q So Mr. Johnson's girlfriend invited you into  
10 the stairwell?  
11 A I said I would talk to her inside the  
12 stairwell.  
13 Q When did you tell her that?  
14 A After the daughter was yelling.  
15 Q And she said okay?  
16 A Yes.  
17 Q Did she say the word okay or did she say some  
18 other words, do you remember?  
19 A She stated the fact she wanted to talk out of  
20 the carshot of Mr. Johnson.  
21 Q Do you remember exactly what she said?  
22 A No.  
23 Q Okay. So she bound three steps up the  
24 stairway?

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1 A Yes.  
 2 Q At the point where you asked her to come in  
 3 or something to that effect, or did you ask her to  
 4 come in earlier?  
 5 MS. KENDALL: Objection to the form of the  
 6 question.  
 7 MS. LISKOW: Q Where was this -- Where were you  
 8 and Mr. Johnson's girlfriend when you said I'm going  
 9 to come in or -- if you know, you stated you wanted to  
 10 come in.  
 11 A Where was I?  
 12 Q Yes.  
 13 A I was at the front door.  
 14 Q And where was Mr. Johnson's girlfriend?  
 15 A Also inside the stairwell there.  
 16 Q Did she have the courage to walk up the  
 17 stairs yet?  
 18 A No.  
 19 Q So she walked up three steps and you followed  
 20 her?  
 21 A Yes.  
 22 Q Did you meet her on the third step?  
 23 A No. I had gone -- I had taken a step up. I  
 24 wasn't eye level with her.

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1 Q Okay. You were --  
 2 A I was looking up and talking to her.  
 3 Q Okay. So you were like a step in, she was  
 4 like three steps in?  
 5 A Yes.  
 6 Q And that is when you had the conversation  
 7 about how Mr. Johnson got his drugs?  
 8 A Yes.  
 9 Q Were you standing on the front step, the  
 10 first step of the stairwell, and your partner was  
 11 searching the area of 7630 South Euclid?  
 12 A Yes.  
 13 Q How were you able to see him search the area?  
 14 A I had seen him before I went in, and there  
 15 was another unit on the scene with us.  
 16 Q So your partner started to search the area  
 17 before you went into the stairwell?  
 18 A Yes.  
 19 Q What were you doing when your partner started  
 20 to search the area?  
 21 A I was with Mr. Johnson, and I walked in, I  
 22 talked with Mr. Johnson's girlfriend.  
 23 Q Did you see what Mr. Johnson was doing when  
 24 you walked in by the stairwell?

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1 A He was still sitting outside.  
 2 Q Same position he had been in?  
 3 A Yes.  
 4 Q Facing the house?  
 5 A Facing the street maybe.  
 6 Q Would he have been facing away from --  
 7 A From street to house. He might have been. I  
 8 don't know which way he was facing.  
 9 Q So you don't remember which way --  
 10 A I don't remember.  
 11 Q You don't know if he was facing the street?  
 12 A No, not for sure.  
 13 Q Why did you say the street?  
 14 A Because I thought he was looking at me. I  
 15 remember him facing the street at one point. I don't  
 16 remember where he was facing when you were asking.  
 17 Q At one point he was facing the street?  
 18 A Pardon?  
 19 Q At one point he was facing the street?  
 20 A Yes.  
 21 Q Do you remember at what point that was?  
 22 A When we originally were able to get handcuffs  
 23 on him.  
 24 Q You said that some other officers arrived on

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1 the scene.  
 2 When did this happen?  
 3 A After we were able to handcuff him they came  
 4 to the scene. I don't know exactly when. But they  
 5 came after the struggle was over.  
 6 Q So they came after he was handcuffed?  
 7 A Yes.  
 8 Q About how long after he was handcuffed?  
 9 A I don't know for sure.  
 10 Q Less than a minute?  
 11 A Possibly a minute, possibly a little more.  
 12 Q Less than two minutes?  
 13 A Yes.  
 14 Q Between the time that you -- met your partner  
 15 and handcuffed Mr. Johnson and the time the other  
 16 officers arrived on the scene, what were you doing?  
 17 What did you do?  
 18 A At what point?  
 19 Q Between the time your partner managed to get  
 20 Mr. Johnson handcuffed to the time that new officers  
 21 arrived on the scene, what did you do?  
 22 A We finished handcuffing him. We talked to  
 23 him briefly. He just kept saying I live here.  
 24 Q So -- He just saying I love you?

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1 A I live here, yes.  
 2 Q His girlfriend was outside?  
 3 A She had come up.  
 4 Q So the girlfriend was outside when the new  
 5 officers arrived?  
 6 A She may have been. I don't know for sure.  
 7 Q My understanding was that Mr. Johnson was  
 8 saying I love you only when --  
 9 A I love you?  
 10 Q Did you say --  
 11 A No, I live here.  
 12 Q Did he ever say I love you?  
 13 A No.  
 14 Q I totally misunderstood you.  
 15 A No.  
 16 Q So he kept saying I live here, I live here?  
 17 A Yes.  
 18 MS. LISKOW: Did you hear I love you?  
 19 MS. KENDALL: No.  
 20 MS. LISKOW: Q He kept saying I live here, I live  
 21 here.  
 22 And when officers arrived on the scene,  
 23 Mr. Johnson's girlfriend may have been out of the  
 24 doorway and may not have been or was she not out there

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1 yet?  
 2 A When she originally --  
 3 MS. KENDALL: That's been asked and answered, and  
 4 object to the form of the question.  
 5 Go ahead.  
 6 A When she had originally popped her head out,  
 7 I don't know -- I don't believe the officers were  
 8 there yet.  
 9 MS. LISKOW: Q Where was she when officers  
 10 arrived?  
 11 A She may have been -- I don't know for sure.  
 12 She might have been retrieving his identification  
 13 because she left for that quick.  
 14 Q So you don't know where she was?  
 15 A No, not exactly.  
 16 Q Not exactly or you don't remember?  
 17 A I don't remember.  
 18 Q Did officers -- Did other officers arrive in  
 19 a car?  
 20 A Squad car. In a marked squad car.  
 21 Q Was it one car?  
 22 A Yes. They were in one car.  
 23 Q From what direction did they come?  
 24 A I think they came from a north direction.

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1 Q So they would have been driving the right  
 2 way?  
 3 A Yes.  
 4 Q Do you remember how fast they approached the  
 5 7630 South Euclid?  
 6 A Within a minute.  
 7 Q Actually I mean do you remember how fast they  
 8 were driving?  
 9 A I don't.  
 10 Q Did they stop suddenly, like screech to a  
 11 halt?  
 12 A I don't know.  
 13 Q Where did they park?  
 14 A Exactly I don't know.  
 15 Q Which side of the street?  
 16 A I don't know.  
 17 I believe they were somewhere in front of  
 18 7626 or a little bit north of where we were at.  
 19 Q They would have been on the east side of the  
 20 street?  
 21 MS. KENDALL: Objection.  
 22 A I don't know.  
 23 MS. LISKOW: Q West side of the street?  
 24 A I would think west side.

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1 Q Did you see the squad car before you saw the  
 2 officers?  
 3 A I saw the squad car -- I saw blue lights.  
 4 That is all I saw.  
 5 Q You didn't see the car arrive? You just saw  
 6 blue lights?  
 7 A I saw blue lights.  
 8 Q And you didn't see the car?  
 9 A No.  
 10 Q Is that because it is was dark?  
 11 A I wasn't paying attention.  
 12 Q Because you were --  
 13 A I heard a siren and I saw blue lights.  
 14 Q You weren't paying attention because you were  
 15 doing what?  
 16 A Trying to handcuff Mr. Johnson.  
 17 Q But you said -- I believe you said that you  
 18 were done handcuffing him when the --  
 19 A When they showed up?  
 20 MS. KENDALL: Objection to the form of the  
 21 question. His testimony is his testimony. What you  
 22 believe is irrelevant.  
 23 MS. LISKOW: Q Were you done handcuffing  
 24 Mr. Johnson when you first saw the blue lights and

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<p>1 heard the sirens?</p> <p>2 A At that point he was handcuffed, yes.</p> <p>3 Q What were you busy doing at that point when</p> <p>4 you first heard the sirens and saw the blue lights?</p> <p>5 A Keeping eyes on Mr. Johnson.</p> <p>6 Q How long after you saw lights and heard</p> <p>7 sirens did you see the officers -- or any officers?</p> <p>8 A Quickly. A minute or so.</p> <p>9 Q Did you see or hear officers first?</p> <p>10 And when I said officers, I meant officers</p> <p>11 besides your partner.</p> <p>12 A I saw squad cars driving by. I don't recall</p> <p>13 who was driving by.</p> <p>14 Q So you did see a squad car?</p> <p>15 A Yes.</p> <p>16 Q Squad cars?</p> <p>17 A I saw them on the street, but I didn't --</p> <p>18 When cars approached, I didn't pay attention to their</p> <p>19 approach.</p> <p>20 Q Did you say car or cars?</p> <p>21 A I seen more than one flashing light. I</p> <p>22 thought I seen two.</p> <p>23 Q You thought you saw two?</p> <p>24 A Yes.</p>	<p>1 Officer Craig --</p> <p>2 A Brownfield, B-r-o-w-n-f-i-e-l-d.</p> <p>3 And Louis Garcia, G-a-r-c-i-a.</p> <p>4 Q Anyone else?</p> <p>5 A I'd seen other cars drive by.</p> <p>6 I think we said he was in custody, so I</p> <p>7 think it was just a drive by.</p> <p>8 Q You told who that he's in custody?</p> <p>9 A The zone.</p> <p>10 Somebody said he was in custody. I don't</p> <p>11 know if it was me or Chris.</p> <p>12 Q You would have said it over the radio?</p> <p>13 A Yes.</p> <p>14 Basically it means slow down, don't get</p> <p>15 killed coming over.</p> <p>16 Q After you called -- After you had a radio</p> <p>17 communication when you were driving, you got in your</p> <p>18 car and you were driving towards 7630 South Euclid,</p> <p>19 you said you made a radio communication?</p> <p>20 A Yes.</p> <p>21 Q What is the next radio communication you made</p> <p>22 after that?</p> <p>23 A I don't recall making it.</p> <p>24 Q So when you said you communicated to someone</p>
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<p>1 Q More than one flashing lights or more than</p> <p>2 one squad car?</p> <p>3 A I know I'd seen a couple of flashing lights.</p> <p>4 How many squad cars total, I don't know.</p> <p>5 Q So when you say you saw more than a couple of</p> <p>6 flashing lights, you mean that you took that to mean</p> <p>7 there was more than one squad car, is that correct?</p> <p>8 A Yes.</p> <p>9 Q So about a minute or so after --</p> <p>10 A It could have been quicker. Maybe 30</p> <p>11 seconds.</p> <p>12 Q You saw an officer, correct?</p> <p>13 A I had seen lights first. It was probably</p> <p>14 within a minute before I'd seen officers approach.</p> <p>15 Q Who did you see?</p> <p>16 A Who did I see?</p> <p>17 Q Uh-huh.</p> <p>18 A Approaching the scene or on the scene?</p> <p>19 Q Yes.</p> <p>20 A Beat 432.</p> <p>21 Q And who are they?</p> <p>22 A Officer Craig Brownfield and --</p> <p>23 Q Could you spell these names to the best of</p> <p>24 your ability?</p>	<p>1 that you have him in custody --</p> <p>2 A I don't think I said it. Somebody else may</p> <p>3 have said it.</p> <p>4 It was said, but it wasn't said by me.</p> <p>5 Q Would it have been your partner?</p> <p>6 A It may have been.</p> <p>7 Q Who else could it have been if it wasn't you</p> <p>8 or your partner?</p> <p>9 A 432 may have said it. I don't know who said</p> <p>10 it.</p> <p>11 Q These officers that arrived on the scene that</p> <p>12 we're talking about right now, might have shown up,</p> <p>13 seen that Mr. Johnson was in custody, and then made a</p> <p>14 radio communication to that effect?</p> <p>15 A Yes. They might have been the first on the</p> <p>16 scene.</p> <p>17 Q Do you ever remember seeing your partner make</p> <p>18 a radio communication up until the point we're talking</p> <p>19 about right now?</p> <p>20 A No.</p> <p>21 Q Do you remember seeing any of these officers,</p> <p>22 these Beat 432 officers, do you remember seeing them</p> <p>23 make a radio communication?</p> <p>24 A No.</p>

40 (Pages 154 to 157)

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1 Q Or hear them make a radio communication?  
 2 A That doesn't mean they did it.  
 3 Q You didn't hear it either?  
 4 A Evidently somebody did it, but I wasn't me.  
 5 Q Did you hear anyone make a radio  
 6 communication?  
 7 A No.  
 8 Q There was Officer Craig Brownfield --  
 9 A Yes.  
 10 Q -- and Louis Garcia?  
 11 A Yes.  
 12 Q Who else did you see?  
 13 A Beat 414 drove by and Beat 424 drove by.  
 14 Q How do you know they drove by?  
 15 A I remember seeing them. I remember seeing  
 16 414 and 424.  
 17 Q How can you tell what number they are? Was  
 18 it on the car?  
 19 A I knew what they were working, and I was able  
 20 to see some sheets that confirmed it was them driving  
 21 to work.  
 22 Q Did you know at the time when you saw these  
 23 cars drive by that they were 414 and 424?  
 24 A Yes.

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1 Q How did you know?  
 2 A I knew the guys from the lodge before. I  
 3 kind of worked with them.  
 4 Q You saw the officers' station?  
 5 A Yes.  
 6 Q And you knew certain officers were part of  
 7 414 and certain officers were part of 424?  
 8 A Yes.  
 9 Q Was there anything on the car that indicated  
 10 what beat they were?  
 11 A Yes.  
 12 Q What is that on the car?  
 13 A It's a brand beat on the top of the vehicle.  
 14 It's a beat tag. And it states the number.  
 15 Q How big is this?  
 16 A About the size of three index cards maybe.  
 17 Q Is it lit up?  
 18 A No, in white reflected lighting, though.  
 19 Q And you were able to see it from where you  
 20 were?  
 21 A Yes.  
 22 Q And did Beat 414 and 424 drive by before or  
 23 after Beat 432 showed up on the scene?  
 24 A Probably after.

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1 Q Do you remember where you were in the yard  
 2 when you saw Beat 414 and Beat 424 drive by?  
 3 A Probably around the area where Mr. Johnson  
 4 was sitting.  
 5 Q How far from the street was that?  
 6 A Anywhere from 30 to 40 feet.  
 7 Q Did you see the faces of all the officers  
 8 that were in Car 414 -- Beat 414 or 424?  
 9 A Yes.  
 10 Q Who were the officers?  
 11 Let's start with 414.  
 12 A A kid with the last name of Hinkle -- A young  
 13 man with the name of Hinkle. Last name Hinkle. And  
 14 the other kid is Sean Williams.  
 15 Q John Williams?  
 16 A Sean.  
 17 Q Sean.  
 18 And that was it for 414?  
 19 A Yes.  
 20 Q What about 424?  
 21 A Jim Walsh was working with a recruit. I  
 22 don't know his name. Last name I think is White. I  
 23 think.  
 24 Q Is this recruit now working for Chicago

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1 Police Department?  
 2 A To my knowledge.  
 3 Q What is the relation of Beat -- Well, let's  
 4 start with Beat 432.  
 5 What do the officers do? Are they tactical  
 6 officers?  
 7 A No.  
 8 Q Are they patrol officers?  
 9 A They're all patrol officers.  
 10 Q All three of them are in patrol?  
 11 A All three cars.  
 12 Q Do they do anything in particular during  
 13 special details, I mean as officers?  
 14 A Respond to calls.  
 15 Q They do similar things to what you were doing  
 16 when you were a patrol officer, is that correct?  
 17 A Yes.  
 18 Q Are they from the same district?  
 19 A Yes.  
 20 Q 4?  
 21 A Yes.  
 22 Q Do you know any of those officers at all?  
 23 A Yes.  
 24 Q Do you know them all, except for the recruit?

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<p>1 A A couple.</p> <p>2 Q Are you friends with any of them?</p> <p>3 A One.</p> <p>4 Q Which one?</p> <p>5 A Walsh. He used to be my partner.</p> <p>6 Q Did you ever socialize outside of work with</p> <p>7 Craig Brownfield or Louis Garcia?</p> <p>8 A Socialize?</p> <p>9 Q Yeah, do anything outside of work?</p> <p>10 A Maybe once or twice.</p> <p>11 Q Was it like a group of officers went out to</p> <p>12 do some things?</p> <p>13 A Probably a watch party maybe.</p> <p>14 Q A lot of people from the district would have</p> <p>15 been at it?</p> <p>16 A Yes. It wasn't any one-on-one.</p> <p>17 Q You haven't gone and hung out with them</p> <p>18 specifically?</p> <p>19 A No.</p> <p>20 Q How old are they, starting with Craig</p> <p>21 Brownfield?</p> <p>22 A Probably mid-20s.</p> <p>23 Q Both mid-20s?</p> <p>24 A Yeah.</p>	<p>1 Q Were Craig Brownfield and Louis Garcia the</p> <p>2 only two officers, besides you and your partner, that</p> <p>3 showed up on the scene at 7630 South Euclid?</p> <p>4 A To my knowledge, yes.</p> <p>5 Q From the time that you got to the scene to</p> <p>6 the time that you left with Ronald Johnson in your</p> <p>7 custody, those were the only officers on the scene?</p> <p>8 MS. KENDALL: Objection, foundation.</p> <p>9 MS. LISKOW: Q The only officers that stopped and</p> <p>10 got out of their car.</p> <p>11 A That is what I recall.</p> <p>12 Q Okay. Where were you when you first saw</p> <p>13 Mr. Brownfield and Mr. Garcia?</p> <p>14 A Talking. At the doorway with his girlfriend.</p> <p>15 Q And this was the point when your partner was</p> <p>16 searching the yard?</p> <p>17 A Yes.</p> <p>18 Q What was the first thing that you -- And when</p> <p>19 did you recognize -- I'm sorry.</p> <p>20 When did you recognize the officers?</p> <p>21 Right away?</p> <p>22 MS. KENDALL: Objection to the form of the</p> <p>23 question.</p> <p>24 MS. LISKOW: Q When I say recognize, I mean when</p>
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<p>1 MS. KENDALL: Object to the form of the question.</p> <p>2 MS. LISKOW: Q When Beat 414 and 424 drove by,</p> <p>3 which you think happened after Beat 432 showed up on</p> <p>4 the scene, were they driving together or driving down</p> <p>5 the street at the same time?</p> <p>6 A It was close. I don't know exactly.</p> <p>7 I believe I saw 414 first.</p> <p>8 Q And then soon after did you see 424?</p> <p>9 A It would have been a minute.</p> <p>10 Q So they weren't driving together?</p> <p>11 A No. One beat is closer than the other. 414</p> <p>12 would have been closer to respond than 424 would have</p> <p>13 been.</p> <p>14 Q Why is that?</p> <p>15 A It's the way it's laid out.</p> <p>16 Q So the patrol -- The beats have smaller</p> <p>17 boundaries in the district than they patrol usually?</p> <p>18 A Sometimes. Ideally.</p> <p>19 Q But then both 414 and 424 been going outside</p> <p>20 their general boundaries to come to 7360 South Euclid?</p> <p>21 A I believe 414 would have been right there.</p> <p>22 424 would have been a distance.</p> <p>23 Q So was 7630 Euclid in 414's boundary?</p> <p>24 A I think so. 414 or 411, I don't know.</p>	<p>1 did you recognize them to be Mr. Brownfield and</p> <p>2 Mr. Garcia?</p> <p>3 A I know them. So I guess it was the</p> <p>4 conversation with the woman that they showed up.</p> <p>5 Q And you recognized them right away?</p> <p>6 A Yes.</p> <p>7 Q What was the first thing you remember them</p> <p>8 doing or saying?</p> <p>9 A Just coming up to me and asking if everything</p> <p>10 was okay.</p> <p>11 Q They came directly to you first?</p> <p>12 A Either me or Chris. I don't know who they</p> <p>13 talked to first.</p> <p>14 Q You don't know who they came to first?</p> <p>15 A I know I talked to Craig Brownfield myself.</p> <p>16 Q Do you remember what Craig did first when he</p> <p>17 arrived on the scene?</p> <p>18 A He approached either Chris or I. I don't</p> <p>19 know.</p> <p>20 Q So he may have proceeded --</p> <p>21 A He may have approached -- All I know is that</p> <p>22 I had another conversation with him.</p> <p>23 Q How soon after Mr. Brownfield showed up did</p> <p>24 he have a conversation with you?</p>

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1 The first conversation.  
 2 A Quickly. I turned around and he was there.  
 3 Q When you turned around, did you see where  
 4 Mr. Garcia was?  
 5 A He was right there.  
 6 Q So they both can't see you at the same time?  
 7 A Possibly yes, around the same time.  
 8 Not exactly the same time, but I talked  
 9 immediately to Craig Brownfield.  
 10 Q When you talked immediately to Craig  
 11 Brownfield, where was Mr. Garcia?  
 12 A He was right there with us. Two feet away,  
 13 next to Johnson. And Craig and I were on the other  
 14 side of Mr. Johnson.  
 15 Q What do you mean you were on the other side  
 16 of Mr. Johnson?  
 17 A We were standing around him.  
 18 Q Were you making any kind of a circle around  
 19 Mr. Johnson?  
 20 A One on each side.  
 21 Q I thought there were three officers?  
 22 A There was.  
 23 MS. KENDALL: Couldn't have a circle with three  
 24 people.

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1 MS. LISKOW: Q One on each side.  
 2 A I was closer to Mr. Brownfield.  
 3 Q So when you say one on each side, there is  
 4 Mr. Brownfield on one side and Mr. Garcia were on the  
 5 other side of Mr. Johnson?  
 6 A Yes.  
 7 Q How far away were you and Mr. Brownfield from  
 8 Mr. Johnson at this point?  
 9 A A foot or two.  
 10 Q And how far away was Mr. Garcia from  
 11 Mr. Johnson at this point?  
 12 A Two feet.  
 13 Q Okay. I think I misunderstood, because I  
 14 thought you said that you first talked to  
 15 Mr. Brownfield when you were in the stairwell with  
 16 Mr. Johnson's girlfriend?  
 17 A No.  
 18 Q So you were in the stairwell with  
 19 Mr. Johnson's girlfriend.  
 20 Am I correct in understanding that you --  
 21 when you saw Mr. Brownfield and Mr. Garcia, you came  
 22 out toward the yard?  
 23 MS. KENDALL: Objection to the form of the  
 24 question. Mischaracterizes his testimony.

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1 A I did not make it inside to talk to her until  
 2 432 was with.  
 3 MS. LISKOW: Q Okay. So -- Okay. What were  
 4 you -- I'm sorry if you already answered this, but I'm  
 5 trying to clarify.  
 6 What were you doing when Beat 432 was --  
 7 when you first recognized Mr. Brownfield and  
 8 Mr. Garcia?  
 9 MS. KENDALL: Objection. Asked and answered.  
 10 A I was engaged in conversation.  
 11 MS. LISKOW: Q With who?  
 12 A Mr. -- Officer Brownfield.  
 13 Q I'm saying when you first saw Mr. Brownfield  
 14 and Mr. Garcia, when you first saw them, where were  
 15 you?  
 16 A I was standing next to Mr. Johnson.  
 17 Q And you hadn't yet talked to --  
 18 A Pretty much on the lawn.  
 19 Q Had you yet talked to Mr. Johnson's  
 20 girlfriend at all?  
 21 A Yes.  
 22 Q But you hadn't entered the stairwell with  
 23 her?  
 24 A Correct.

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1 Q Where was Mr. Johnson's girlfriend when these  
 2 officers, Brownfield and Garcia, showed up?  
 3 A In the stairs.  
 4 Q She went back into the stairs --  
 5 A She was on the stairwell. She was flat on  
 6 the bottom with the door open.  
 7 Q Had her daughter come out yet?  
 8 A Yes.  
 9 Q Had her daughter finished yelling yet?  
 10 A It was right around the same time.  
 11 Q Do you know if the daughter finished yelling  
 12 by the time you first saw Mr. Brownfield and  
 13 Mr. Garcia?  
 14 MS. KENDALL: Objection. Asked and answered.  
 15 A I said about the same time.  
 16 MS. LISKOW: Q Is it possible she was yelling  
 17 while Mr. Brownfield and Mr. Garcia were there?  
 18 MS. KENDALL: Objection. Asked and answered.  
 19 A She may have been, but she was yelling at me.  
 20 MS. LISKOW: Q They may have heard her yell?  
 21 MS. KENDALL: Objection. Calling for speculation.  
 22 A I don't know. I can't say what they may have  
 23 heard or not.  
 24 MS. LISKOW: Q What did Mr. Brownfield say to you

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1 specifically when he came up to you?  
 2 MS. KENDALL: Objection. Asked and answered.  
 3 A He said are you all right.  
 4 MS. LISKOW: Q Are you all right.  
 5 What else did he ask you or say to you?  
 6 MS. KENDALL: Objection, foundation.  
 7 A He didn't say much more than that.  
 8 MS. LISKOW: Q What else did he say?  
 9 A I don't recall him saying anything.  
 10 Q What did you say to him?  
 11 A I said yeah, I'm all right.  
 12 Q Why did he ask you if you were all right?  
 13 MS. KENDALL: Objection. Calls for speculation.  
 14 A I don't know.  
 15 MS. LISKOW: Q Did you have any injuries?  
 16 A I think everybody was out of breath.  
 17 Q But no injuries?  
 18 A None sustained.  
 19 Q Did you have any injuries?  
 20 What do you mean by none sustained?  
 21 A I could have been injured, but I don't  
 22 remember at this point.  
 23 Q You don't remember being injured?  
 24 A No.

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1 Q What did Mr. Garcia say to you, if anything?  
 2 A Nothing that I recall.  
 3 Q Did he say anything to Mr. Garcia?  
 4 A Pardon me?  
 5 Q Did he say anything to Mr. Garcia when he  
 6 first walked up?  
 7 A He might have acknowledged him, but I don't  
 8 remember anything else.  
 9 Q What happened next?  
 10 I'm talking about right after Mr. Brownfield  
 11 and Mr. Garcia walked up and you were next to  
 12 Mr. Brownfield, what happened next?  
 13 A I think I told -- I think I said to  
 14 Brownfield I'm going to talk to her for a second.  
 15 That is when I walked up, I went in, opened  
 16 the door, walked up one step and was talking to the  
 17 lady.  
 18 Q And your partner was in the yard?  
 19 A He was right there searching next door.  
 20 Q Next to her?  
 21 A Next door.  
 22 Q Next door?  
 23 A Approximately 7632 or 4.  
 24 Q So he was next door when Mr. Brownfield and

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1 Mr. Garcia first walked up to you?  
 2 A I think -- No. No. He was right there with  
 3 me.  
 4 Q What did Mr. Brownfield say to your partner?  
 5 A I don't know.  
 6 Q Do you know if he said anything, but you  
 7 can't remember what?  
 8 A I don't know.  
 9 Q He may not have said anything?  
 10 A He may or he may not have.  
 11 Q Did your partner say anything to  
 12 Mr. Brownfield?  
 13 A I have no idea.  
 14 Q Did Mr. Garcia say anything to your partner?  
 15 A I don't know.  
 16 Q Did your partner say anything to Mr. Garcia?  
 17 A I don't know.  
 18 Q At what point did your partner go over to the  
 19 yard next door?  
 20 A When 432 was there.  
 21 Q 432 was already there, correct?  
 22 A No, he didn't leave me alone with them. Once  
 23 another unit showed up --  
 24 Q Because he felt free to --

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1 MS. KENDALL: Objection.  
 2 A I don't know what he felt.  
 3 MS. LISKOW: Q So you're saying that --  
 4 A Safety issue.  
 5 Q So at this point you walked over to the  
 6 doorway, is that correct?  
 7 MS. KENDALL: Objection to the form of the  
 8 question.  
 9 A I walked over to the doorway?  
 10 MS. LISKOW: Q Uh-huh.  
 11 A Yes.  
 12 Q And do you know what -- while you were  
 13 walking to the doorway, what Mr. Brownfield and  
 14 Mr. Garcia were doing?  
 15 A They were just sitting and watching  
 16 Mr. Johnson.  
 17 Q Were they talking to Mr. Johnson?  
 18 A I don't recall.  
 19 Q Do you remember -- after Mr. Brownfield and  
 20 Mr. Garcia left, if they said anything to Mr. Johnson  
 21 or Mr. Johnson said anything to them?  
 22 A I don't recall.  
 23 Q What is the next thing you remember  
 24 happening?

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1 A That's correct.  
 2 Q Why did you decide to put him in a squad car?  
 3 A There are safety issues. We drive a car that  
 4 doesn't have a partition, separates the front from the  
 5 back.  
 6 Q I want to ask you about your car.  
 7 Is it unmarked?  
 8 A Yes.  
 9 Q What kind of car is it?  
 10 A Crown -- Ford Crown Victoria.  
 11 Q What color?  
 12 A I don't recall.  
 13 Q Is there anything about it that would  
 14 indicate that it's a car driven by officers?  
 15 A That it's -- Pardon me?  
 16 Q A car owned by the Chicago Police Department?  
 17 A M, municipal plate on the front and back.  
 18 Q Is there anything else about it that would  
 19 indicate to an observer that it's a car driven by  
 20 officers?  
 21 MS. KENDALL: Objection, speculation.  
 22 A If the emergency lights are activated you  
 23 know what it is.  
 24 MS. LISKOW: Q What are the emergency lights

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1 like?  
 2 A Flashing.  
 3 Q Where are they located?  
 4 A On the dashboard and in the back.  
 5 Q Did you activate your emergency lights at all  
 6 during the time -- from the time that you first saw  
 7 Mr. Johnson to the time that you parked the car in  
 8 front of 7630?  
 9 A Yes.  
 10 Q When did you do that?  
 11 A When I'd gotten in the corner, I put my --  
 12 hit my switch that would make the lights flicker off  
 13 and on.  
 14 Q Do you have sirens?  
 15 A Yes. I may have hit one, too. I don't  
 16 recall.  
 17 Q But from the time that you saw Mr. Johnson  
 18 walking down 77th to the time you parked your car  
 19 diagonally, you didn't turn on your lights?  
 20 A Right.  
 21 Q You didn't turn on the sirens?  
 22 A Correct.  
 23 Q Have we talked about everything attached to  
 24 your car or on your car that indicates -- that may

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1 indicate it's a car driven by officers?  
 2 A I believe we did.  
 3 Q So if someone knew that M plates were City of  
 4 Chicago plates, they might know that?  
 5 A Yes.  
 6 MS. KENDALL: Objection, speculation.  
 7 A Yes.  
 8 MS. LISKOW: Q So you chose to put Mr. Johnson in  
 9 the squad car because it's safer that way?  
 10 A Yes.  
 11 Q Do you ever transport arrestees in your  
 12 unmarked cars?  
 13 A On occasion.  
 14 Q When there is no other squad car available?  
 15 A Correct.  
 16 Q Did anyone say anything to each other from  
 17 the time you picked Mr. Johnson up, stood him up, and  
 18 the time that you got to the squad car?  
 19 MS. KENDALL: Objection, asked and answered.  
 20 A No.  
 21 MS. LISKOW: Q Did Mr. Johnson ever ask you  
 22 during this whole incident why he was being arrested?  
 23 A I don't remember.  
 24 Q Who put Mr. Johnson in the squad car?

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1 A I don't know. All four of us or -- I don't  
 2 know. We all walked together.  
 3 Q Do you remember when you were putting  
 4 Mr. Johnson in the squad car, Mr. Johnson's girlfriend  
 5 or daughter -- girlfriend's daughter was saying  
 6 anything or doing anything?  
 7 A I don't recall.  
 8 Q They weren't catching your attention?  
 9 A No.  
 10 MS. KENDALL: Objection.  
 11 MS. LISKOW: Q What happened after -- Did you put  
 12 Mr. Johnson in in a normal fashion to the car and  
 13 helped him --  
 14 MS. KENDALL: Objection to the form of the  
 15 question.  
 16 MS. LISKOW: Q Did you help him into the car or  
 17 did someone help him into the car?  
 18 MS. KENDALL: Objection. Asked and answered.  
 19 A We helped him in.  
 20 MS. LISKOW: Q What happened next?  
 21 A He was transported in to the 4th District by  
 22 432, and we followed.  
 23 Q Who was driving 432 car?  
 24 A I don't recall.

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1 Q So right after Mr. Johnson was put into the  
2 432 car, correct me if I'm wrong, 432 officers got in  
3 the 432 car, is that correct?  
4 A Yes.  
5 Q And you and your partner got into your car?  
6 A Yes.  
7 Q Did you do anything -- You didn't do anything  
8 else besides get into your cars after you put  
9 Mr. Johnson into the squad car, is that correct?  
10 A We just got in our cars and left.  
11 Q You didn't say any parting words to  
12 Mr. Johnson's girlfriend?  
13 A I don't recall.  
14 Q Where is the 4th District located?  
15 A 103rd and Luella.  
16 Q And how -- And did you go straight to the  
17 district?  
18 A Yes.  
19 Q How long did it take you to get there?  
20 A Ten to twelve minutes.  
21 Q Would you describe Officer Brownfield for me,  
22 please?  
23 You said he was in his mid 20s.  
24 A Mid 20s, light colored hair, short. Probably

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1 about six foot two, 240 pounds.  
2 Q That would make him look kind of brawny,  
3 right?  
4 MS. KENDALL: Objection to the form of the  
5 question.  
6 MS. LISKOW: Q Was he brawny?  
7 MS. KENDALL: Objection to the form of the  
8 question.  
9 A Not as big boned as Mr. Johnson, but he's  
10 large.  
11 MS. LISKOW: Q And is he white?  
12 A Yes.  
13 Q Facial hair?  
14 A No.  
15 Q Was he wearing a uniform?  
16 A Yes.  
17 Q And what did the uniform look like?  
18 A A regular -- if he had on a police jacket, I  
19 don't recall for sure.  
20 Q Pants and --  
21 A Yes.  
22 Q Do you know if he was wearing a hat?  
23 A No, I don't remember.  
24 Q And Mr. Garcia, could you describe him for

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1 me?  
2 A He's probably about six foot one, probably  
3 about 240 pounds.  
4 Q Does he look Latino?  
5 A Garcia?  
6 Q Garcia. Is he Latino, Hispanic?  
7 A Mexican.  
8 Q Did he have facial hair?  
9 A I don't think so.  
10 Q Did he have a full head of hair?  
11 A Yeah, I believe --  
12 Q He was wearing a uniform, too?  
13 A Yes.  
14 Q A navy jacket?  
15 You can't remember?  
16 A I can't recall.  
17 Q Do either of them wear glasses?  
18 A I don't know.  
19 Q So when you arrived at the district, were you  
20 still -- did you park behind the squad car with  
21 Mr. Johnson in it?  
22 A I don't recall.  
23 Q Did you see Mr. Johnson get out of the squad  
24 car?

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1 A No.  
2 Q What did you -- What was the first thing you  
3 did when you got to 103rd and Luella?  
4 A We parked in the back and entered the back  
5 garage doorway.  
6 Q Is that where you usually park?  
7 A Yes.  
8 Q Did the squad cars park in the same area of  
9 the station?  
10 A A little bit further north, there is a  
11 different doorway there.  
12 Q When patrol officers have a suspect or  
13 arrestee in their custody, do they like pull up to the  
14 station and get the person out and then go park or  
15 park and bring the person in custody with them?  
16 MS. KENDALL: Objection.  
17 A I don't know.  
18 MS. LISKOW: Q Do you know?  
19 A It could go any way.  
20 Q Do you know what Beat 432 did on this day?  
21 A No.  
22 Q So you parked in the back, and did you and  
23 your partner get out of the car?  
24 A Yes.

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1 Q And why were you going back to the district?  
 2 A Process the arrestee. Inventory the two bags  
 3 of cocaine.  
 4 Q What was the next thing that you did after  
 5 you got out of the car?  
 6 A We met 432 back by our tac office.  
 7 Q After you got into your car at 7630 South  
 8 Euclid, did you make any radio communication?  
 9 A I don't recall.  
 10 Q Did your partner?  
 11 A I don't recall.  
 12 Q Do you remember if 432 did?  
 13 A I don't recall.  
 14 Q And you don't recall anyone making any  
 15 communications during the whole ride to the district?  
 16 A No, I don't.  
 17 Q Had you pre-arranged to meet 432 in your  
 18 office, the tac office?  
 19 A It's understood. I don't know if one of us  
 20 said we'll meet you in, but they know where we work.  
 21 Q You were talking to them?  
 22 A Yes.  
 23 Q And what happened after you met 432 in the  
 24 tac office -- I'm sorry.

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1 Was Mr. Johnson there as well, in the  
 2 office?  
 3 A In the office?  
 4 Q Yes.  
 5 A He was in the hallway. I don't know if the  
 6 door was open.  
 7 Q Was he handcuffed to anything in the hallway?  
 8 A He was handcuffed, just how we'd handcuffed  
 9 him.  
 10 Q Okay.  
 11 A Nothing had changed.  
 12 Q Is there a bench in the hallway?  
 13 A No.  
 14 Q So he was standing there?  
 15 A Yes.  
 16 Q Was anyone watching him?  
 17 A He wasn't left by himself.  
 18 Q Do you know who was with him?  
 19 A 432 was with him.  
 20 Q How did 432 meet you in the office?  
 21 A He went in one door and we came in another.  
 22 Q Where was Mr. Johnson?  
 23 A With them.  
 24 Q So they brought Mr. Johnson into the office?

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1 A They brought him to the hallway where the  
 2 office is.  
 3 Q The office --  
 4 A I don't recall if the office was open or not.  
 5 It's a locked door sometimes.  
 6 Q Are you saying that you were -- I'm trying to  
 7 visualize.  
 8 You're in the office, and they were standing  
 9 in the hallway and you guys were walking?  
 10 A No. We walked up and they'd already had him  
 11 standing in the hallway.  
 12 Q Okay.  
 13 A They arrived before we did, I believe.  
 14 Q So you arrived. Say you're in the hallway.  
 15 Did you talk in the hallway?  
 16 A To 432?  
 17 Q Uh-huh.  
 18 A Yeah, probably.  
 19 Q You would have talked in front of  
 20 Mr. Johnson?  
 21 A Not necessarily.  
 22 Q Actually I'm sorry. I just want to know what  
 23 you remember.  
 24 You walked to the hallway outside of your

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1 tac office?  
 2 MS. KENDALL: Asked and answered.  
 3 MS. LISKOW: Q Is that right?  
 4 A That's what I said.  
 5 Q And you saw Beat 432 in the hallway?  
 6 MS. KENDALL: Asked and answered.  
 7 A Yes.  
 8 MS. LISKOW: Q What happened next?  
 9 A We opened the door and proceeded to walk in  
 10 the room.  
 11 Q Who walked in the room?  
 12 A Chris and I and Mr. Johnson and possibly one  
 13 of those guys.  
 14 Q What happened next?  
 15 A I think we got their information, put them  
 16 down on the arrest.  
 17 Q They meaning?  
 18 A 432.  
 19 Q You would have gotten the officers'  
 20 individual information?  
 21 A Yes.  
 22 I believe that is what we did.  
 23 Q You think or --  
 24 A I don't know for sure, but that is standard

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<p>1 practice.</p> <p>2 Q So you don't remember if you did that?</p> <p>3 A No. But I'm just going by what standard</p> <p>4 practice is.</p> <p>5 Put him in the tac room.</p> <p>6 Q Put who?</p> <p>7 A Chris and I put him into a cell, a holding</p> <p>8 cell, and we removed the handcuffs.</p> <p>9 Q Where is that room, that cell located in</p> <p>10 relation to your tac office?</p> <p>11 A Right next door. It's a big door and a wall</p> <p>12 that partitions it off.</p> <p>13 Q So you walked him next door?</p> <p>14 A We walked him into -- Yes.</p> <p>15 Q And where were the patrol officers at this</p> <p>16 point?</p> <p>17 A They left.</p> <p>18 Q So they left after you maybe got their</p> <p>19 information, maybe not?</p> <p>20 A Probably. That is the way it usually goes.</p> <p>21 Q But you don't remember what you guys talked</p> <p>22 about?</p> <p>23 A No.</p> <p>24 Q Do you remember if they said anything to you</p>	<p>1 A Just usually -- just the particulars. His</p> <p>2 name and all that.</p> <p>3 Q But you don't know?</p> <p>4 A No, not for sure.</p> <p>5 Q You think he'd be gathering information for</p> <p>6 the arrest report?</p> <p>7 A Yes.</p> <p>8 Q So you went to get papers.</p> <p>9 How long did it take to get papers?</p> <p>10 A Just a minute.</p> <p>11 Q Did you come back to that cell where</p> <p>12 Mr. Johnson was?</p> <p>13 A By then my partner was done.</p> <p>14 Q Your partner had left the cell?</p> <p>15 A Yes.</p> <p>16 Q And where did you and your partner go?</p> <p>17 A Right there, just on the other side of the</p> <p>18 door.</p> <p>19 Q Did you fill out paperwork?</p> <p>20 A Yes.</p> <p>21 Q What paperwork did you fill out?</p> <p>22 A Myself?</p> <p>23 Q Uh-huh.</p> <p>24 A Felony complaint for possession of cocaine.</p>
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<p>1 about anything Mr. Johnson might have said to them</p> <p>2 during the ride over to the district?</p> <p>3 A Nothing.</p> <p>4 Q Did Mr. Johnson say anything to you or the</p> <p>5 other officers while you were all standing in the tac</p> <p>6 office?</p> <p>7 A Not that I remember.</p> <p>8 Q Did he say anything to you when you walked</p> <p>9 him to the cell?</p> <p>10 A No.</p> <p>11 Q When you got to the cell, did you handcuff</p> <p>12 him to something or just -- What did you do?</p> <p>13 A No. He was going to be in a locked room, so</p> <p>14 we remove the handcuffs.</p> <p>15 Q Was there anybody else in that room?</p> <p>16 A No. It was empty until he walked in it.</p> <p>17 Q You removed the handcuffs.</p> <p>18 Did you stay in there and talk to him at</p> <p>19 all?</p> <p>20 A My partner did.</p> <p>21 Q Where did you go?</p> <p>22 A I started gathering some paperwork together.</p> <p>23 Q Do you know what your partner talked to</p> <p>24 Mr. Johnson about?</p>	<p>1 And the computer inventory.</p> <p>2 Q What do you mean by computer inventory?</p> <p>3 A Computer inventory, and the narcotics bag</p> <p>4 that the property is put into.</p> <p>5 Q When you say computer inventory you mean you</p> <p>6 filled out an inventory sheet on the computer?</p> <p>7 A Yes.</p> <p>8 Q Is that how it's done?</p> <p>9 A Yes.</p> <p>10 Q Did you ever type out an inventory form or is</p> <p>11 it all on computer?</p> <p>12 A It's all computerized.</p> <p>13 Q So in April of 2005 it was computerized?</p> <p>14 A Yes.</p> <p>15 Q And the arrest report was typed, so it</p> <p>16 wasn't -- the arrest reports weren't --</p> <p>17 A We weren't completely computer generated.</p> <p>18 Q Are they computerized now?</p> <p>19 A Yes.</p> <p>20 Q Totally?</p> <p>21 A Most of the districts. There are a few that</p> <p>22 aren't.</p> <p>23 Q They're still typing arrest reports?</p> <p>24 A Yes.</p>

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<p>1 Q You did a computer inventory.</p> <p>2 What else? What other paperwork did you do?</p> <p>3 A Felony complaint, and the -- dropping of the</p> <p>4 evidence into the evidence vault.</p> <p>5 Q Where did you get the evidence?</p> <p>6 A Where did I get it?</p> <p>7 Q Yes.</p> <p>8 A My partner.</p> <p>9 Q Did you see your partner get it out of</p> <p>10 somewhere on his person?</p> <p>11 A I don't recall.</p> <p>12 Q So you don't know where your partner had been</p> <p>13 keeping it?</p> <p>14 A I don't know if it was in his pants pockets</p> <p>15 or his jacket. I don't recall.</p> <p>16 Q Why did you -- How did you make a decision</p> <p>17 that you would do the inventory?</p> <p>18 A He's a faster typer.</p> <p>19 Q So you did the felony complaint and the</p> <p>20 computer inventory, and you dropped the evidence in</p> <p>21 the vault?</p> <p>22 A Yes.</p> <p>23 Q And he did the arrest report?</p> <p>24 A And he did the arrest and the vice case</p>	<p>1 Q Is there anything -- Have you been trained --</p> <p>2 What is your understanding of what the difference is</p> <p>3 in the way -- sorry -- the way you describe an</p> <p>4 incident on an arrest report versus how you describe</p> <p>5 it on a vice case report?</p> <p>6 MS. KENDALL: Objection, foundation, form of the</p> <p>7 question.</p> <p>8 MR. GRUNEWALD: Same objection.</p> <p>9 A The arrest report is mostly just a summary of</p> <p>10 the probable cause.</p> <p>11 A case report is also a summary, usually</p> <p>12 goes into more detail.</p> <p>13 MS. LISKOW: Q Do you know why you fill out more</p> <p>14 detail on a vice case report than on an arrest report?</p> <p>15 A On any case report the same way.</p> <p>16 Q Do you know why?</p> <p>17 A Do I know why?</p> <p>18 Q Uh-huh.</p> <p>19 A I believe it's for legal practices for when</p> <p>20 it goes to court. I think the case report may be</p> <p>21 looked at a little bit more.</p> <p>22 And it could be -- could go several pages,</p> <p>23 where an arrest report you don't want to go that far.</p> <p>24 Q How long did it take you to do your paperwork</p>
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<p>1 report.</p> <p>2 Q I'm curious. What is the vice case report</p> <p>3 for? What is the purpose of it?</p> <p>4 A States the facts of the case.</p> <p>5 Q Why isn't an arrest report sufficient?</p> <p>6 A I don't know. I don't know what the law is.</p> <p>7 Q So you've never been told why you fill out a</p> <p>8 vice case report as well as an arrest report?</p> <p>9 MS. KENDALL: Objection to the form of the</p> <p>10 question.</p> <p>11 MS. LISKOW: Q You can answer.</p> <p>12 A It's learned in the academy. That is what</p> <p>13 you are taught.</p> <p>14 It's all about states statistics and</p> <p>15 national statistics and it comes generated off of</p> <p>16 that.</p> <p>17 Q Are you saying the case report is for</p> <p>18 statistics?</p> <p>19 A Yes.</p> <p>20 Q So when do you fill out a vice case report?</p> <p>21 For every case or just for certain kinds of cases?</p> <p>22 A Narcotic, prostitution, gambling.</p> <p>23 Q Just those three topic areas?</p> <p>24 A I think so.</p>	<p>1 and evidence?</p> <p>2 A I believe under an hour.</p> <p>3 Q Could it have been under a half hour?</p> <p>4 A I don't think so.</p> <p>5 Q Do you know how long it took your partner to</p> <p>6 fill out a vice case report?</p> <p>7 A Probably under an hour.</p> <p>8 Q What is the next thing that you remember</p> <p>9 doing after filling out your reports and dropping</p> <p>10 evidence?</p> <p>11 A Having probable cause signed by our watch</p> <p>12 commander.</p> <p>13 Q What is your watch commander's name?</p> <p>14 A Captain Kellam, K-e-l-l-a-m.</p> <p>15 Q E-m?</p> <p>16 A A-m.</p> <p>17 Q Do you know his first name?</p> <p>18 A Patrick.</p> <p>19 Q Did he ever talk with Ronald Johnson, do you</p> <p>20 know?</p> <p>21 A I don't believe so.</p> <p>22 Q What happened after you guys -- Did you do</p> <p>23 that or did your partner do that?</p> <p>24 A I think my partner did. I don't recall.</p>

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1 Q What is the next thing you did after you  
 2 filled out the paperwork and did the evidence drop?  
 3 A Put the paperwork together. Had it all ready  
 4 to go over to transport over to the district where  
 5 they have the lockup, which is the 5th District.  
 6 Q Because do you send the paperwork with --  
 7 A Yes.  
 8 Q When you say you got it together, just got  
 9 stuff from your partner that he'd done and put it all  
 10 together?  
 11 A Everything needed to go on to the next stop.  
 12 It was gathered, collected.  
 13 Q What was next thing that you did?  
 14 A We put Mr. Johnson in our vehicle.  
 15 Q About how long was it from the time you  
 16 finished your paperwork to the time that you put  
 17 Mr. Johnson in the vehicle?  
 18 A An hour. I don't know.  
 19 Q It might have taken an hour from the time you  
 20 finished the paperwork to the time Mr. Johnson got in  
 21 your vehicle?  
 22 MS. KENDALL: Objection, form of the question.  
 23 Misstates his testimony.  
 24 A All said and done he was placed in our car

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1 probably within an hour.  
 2 MS. LISKOW: Q After you finished the paperwork,  
 3 what happened --  
 4 MS. KENDALL: Objection to the form of the  
 5 question. Misstates his testimony.  
 6 MS. LISKOW: Can I ask you what way it misstates  
 7 the testimony?  
 8 MS. KENDALL: You're saying that he -- it was an  
 9 hour after they finished the paperwork before he got  
 10 in the vehicle.  
 11 MS. LISKOW: Q That is what I thought you just  
 12 answered.  
 13 A No.  
 14 Q Okay. Then I'm not understanding you.  
 15 How long was it from the time you finished  
 16 the paperwork to the time that you put Mr. Johnson in  
 17 your vehicle?  
 18 A Five or ten minutes.  
 19 Q Okay. And that five or ten minutes might  
 20 have been having the watch commander approve probable  
 21 cause?  
 22 A Yes.  
 23 Q When you were taking Mr. Johnson -- Did you  
 24 go get Mr. Johnson from the cell?

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1 A Yes.  
 2 Q When you were taking him to the car, did he  
 3 say anything to you?  
 4 A Not that I recall.  
 5 Q Did he say anything to your partner?  
 6 A Not that I recall.  
 7 Q Did you say anything to him?  
 8 A I don't think so.  
 9 Q Did your partner say anything to him?  
 10 A I don't recall.  
 11 Q Would you have told him where you were going?  
 12 MS. KENDALL: Objection. That calls for  
 13 speculation.  
 14 A I think we told him he was going to the area.  
 15 MS. LISKOW: Q What else did you say to him?  
 16 A That he was going to the County for  
 17 possession of cocaine.  
 18 Q What else did you say to him?  
 19 A Not much more that I could remember.  
 20 Q Did he respond to any of those things?  
 21 A Not that I remember.  
 22 Q Did you place him in your back seat?  
 23 A Yes.  
 24 Q Then did you get in the driver's seat or did

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1 your partner?  
 2 A I did.  
 3 Q Did you begin to drive straight to the  
 4 lockup?  
 5 A Yes.  
 6 Q And where is the lockup located?  
 7 A 727 East 111th Street. Roughly three miles.  
 8 Q And you go there because your district  
 9 doesn't have a lockup?  
 10 A It didn't then, but it does now.  
 11 Q During the ride, three mile ride -- Let me  
 12 ask you.  
 13 How long do you think it took to get to the  
 14 lockup?  
 15 A Five to ten minutes.  
 16 Q There probably wouldn't have been much  
 17 traffic, is that right?  
 18 MS. KENDALL: Objection to the form of the  
 19 question.  
 20 A I don't recall.  
 21 MS. LISKOW: Q Did you say anything to  
 22 Mr. Johnson or did your partner -- Well, did you say  
 23 anything to Mr. Johnson during the car ride to the  
 24 lockup?

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1 A Just the fact that he was going to the  
 2 County. Being charged with possession of cocaine.  
 3 That is about all I recall.  
 4 Q And did your partner say anything to  
 5 Mr. Johnson?  
 6 A Not that I'm aware of.  
 7 Q Did Mr. Johnson say anything to either one of  
 8 you during the ride to the lockup?  
 9 A Not that I remember.  
 10 Q Is it possible that he said he was injured?  
 11 A No, he didn't.  
 12 Q Did he look injured?  
 13 MS. KENDALL: Objection. Form of the question.  
 14 A What do you mean looked injured?  
 15 MS. LISKOW: Q Were there visible injuries on  
 16 his body?  
 17 A No.  
 18 Q Did he look like he was in pain? Was he  
 19 making facial expressions that indicated pain?  
 20 MS. KENDALL: Objection to the form of the  
 21 question.  
 22 A None that I'm aware of.  
 23 MS. LISKOW: Q Was there anything about the way  
 24 he was acting or talking or not talking that indicated

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1 he may have been hurt?  
 2 A No.  
 3 Q Did he ever ask you to go to a hospital?  
 4 A When he hit the lockup he did.  
 5 Q But not before?  
 6 A No.  
 7 Q First time you ever heard him ask for a  
 8 hospital was when he hit the lockup?  
 9 A Yes.  
 10 Q So when you got to the lockup, did you park  
 11 in the parking lot -- when you got to the building  
 12 where the lockup was located?  
 13 A Somewhere close to the door.  
 14 Q Did you and your partner walk Mr. Johnson in?  
 15 A I think my partner walked him to the back and  
 16 I went to go get him signed in by the watch commander  
 17 for the probable cause.  
 18 You sign a prisoner log that they keep.  
 19 Q Okay. You would have gone to a separate  
 20 place to fill out a prisoner log?  
 21 A Yes.  
 22 Q What is the first -- You filled out the  
 23 prisoner's log.  
 24 Is that far away? Where in relation to the

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1 place where your partner took Mr. Johnson is the place  
 2 where you had --  
 3 A Opposite directions.  
 4 Q How far away?  
 5 A 150 feet.  
 6 Q How long did it take you to sign Mr. Johnson  
 7 in?  
 8 A I don't recall.  
 9 Q What did you do after you signed him in?  
 10 A Got the watch commander's approval. And then  
 11 proceeded to go back to the entry door and put him  
 12 into lockup.  
 13 Q About how long, approximately, did it take  
 14 for you to sign Mr. Johnson in and talk to the watch  
 15 commander?  
 16 A Pretty quick. About five minutes.  
 17 Q From the time you got Mr. Johnson out of the  
 18 car and the time you returned to where your car was,  
 19 was about five minutes?  
 20 A Probably.  
 21 Q What happened when you returned to where your  
 22 partner was?  
 23 A He rang the doorbell to get him into the  
 24 lockup.

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1 Q Your partner was waiting until you got back?  
 2 A Yes.  
 3 Q Were you outside or were you in like a lobby?  
 4 A It's open. It's a hallway.  
 5 Q You were inside the building, but you weren't  
 6 inside the lockup proper?  
 7 A That is correct. We were at the door.  
 8 Q You rang the bell.  
 9 When you ring the bell, can you see? Is  
 10 there a glass door or something you can see into?  
 11 A There is an open -- opening in the door.  
 12 Probably eight by eight door opening.  
 13 Q When you rang the bell, were you looking into  
 14 the door?  
 15 A Yes.  
 16 Q What did you see?  
 17 A I don't recall.  
 18 Q Did you see a person?  
 19 A Lockup keeper came and opened the door.  
 20 Q At some point you saw a lockup keeper through  
 21 the door?  
 22 A Once he opened the door. I don't think we  
 23 were peeking in really. I'm just telling you what is  
 24 there.

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1 Q What did the lockup keeper look like?  
 2 A His name is Annor, A-n-n-o-r, I believe,  
 3 African. Dark-skinned. He's an African.  
 4 Q Average height?  
 5 A Yes.  
 6 Five foot eight, 185 pounds.  
 7 Q You rang the bell, and did he answer right  
 8 away, to open the door?  
 9 A I don't recall, but probably.  
 10 Q What is the first thing that happened after  
 11 he opened the door?  
 12 A You have to give a series of questions to the  
 13 person in custody, and asked him if he needed any  
 14 mental or medical treatment.  
 15 Q And did Mr. Johnson respond to that?  
 16 A Yes.  
 17 Q What did he say?  
 18 A He wanted to go to the hospital.  
 19 Q Do you remember exactly what he said?  
 20 A Something along that line.  
 21 Q Did he give any explanation to the lockup  
 22 keeper for why he wanted to go to the hospital?  
 23 A He may have.  
 24 I don't recall.

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1 Q You don't have any idea whether he said  
 2 anything extra?  
 3 A He said he had injuries. I don't remember  
 4 anything else.  
 5 Q You don't remember what kind of injuries he  
 6 said he had?  
 7 A No.  
 8 Q Do you remember if he said he had injuries  
 9 due to anything officers did to him?  
 10 A No.  
 11 Q So he may have given an explanation for his  
 12 injuries, he may not have?  
 13 A I don't recall.  
 14 Q What is the next thing that happened?  
 15 A Lockup keeper looked at us, shrugged his  
 16 shoulders. Meaning come back.  
 17 Q Did he actually say anything or did he just  
 18 shrug his shoulders?  
 19 A No, I think he said -- He may have said  
 20 something to the effect of he needs to go to the  
 21 hospital.  
 22 Q While you're in the 4th District did Ronald  
 23 Johnson talk to anyone besides the four officers who  
 24 arrested him?

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1 A Not that I'm aware of.  
 2 Q Did you talk to anyone else besides -- You  
 3 talked to the watch commander in the 4th District,  
 4 correct?  
 5 A Pardon me?  
 6 Q In the 4th District you talked to a watch  
 7 commander, correct?  
 8 A I believe my partner did.  
 9 Q Your partner did.  
 10 Did you talk to anyone when you were there  
 11 doing Ronald Johnson's paperwork during that period  
 12 when you brought Ronald Johnson in to the time you  
 13 left to go to the lockup, did you talk to anyone  
 14 besides your partner and the two other arresting  
 15 officers?  
 16 A No.  
 17 Q Do you know if your partner did, besides the  
 18 watch commander?  
 19 A I don't know.  
 20 Q So assuming then you had to turn around and  
 21 take Mr. Johnson back out of the building?  
 22 A We are instructed to take him to the closest  
 23 hospital.  
 24 Q What is the closest hospital?

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1 A Roseland Community.  
 2 Q Where is that?  
 3 A Community hospital. 45 West 111th Street.  
 4 Q Are you always told to take -- when you go to  
 5 the 5th District lockup and you have to take an  
 6 arrestee back out and to the hospital?  
 7 MS. KENDALL: Objection to the form of the  
 8 question.  
 9 A What do you mean?  
 10 MS. LISKOW: Q Have you gone to the 5th District  
 11 lockup before and told you need to take this person to  
 12 the hospital before you come back?  
 13 A Yes. I worked there for eleven years, so it  
 14 was always Roseland Hospital.  
 15 Q That is because it's the closest?  
 16 A Yes.  
 17 That is city policy.  
 18 Q Did the Officer Annor say to you take him to  
 19 the closest hospital?  
 20 A No. I work there. I know.  
 21 Q I thought you said that Officer Annor told  
 22 you to take him to the closest hospital.  
 23 MS. KENDALL: Objection. That mischaracterizes  
 24 his testimony.

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<p>1 A I know what the closest hospital is over 2 there. I decided he was going to Roseland Hospital. 3 MS. LISKOW: Q So Officer Annor didn't say take 4 him to the closest hospital? 5 A No. 6 MS. KENDALL: Asked and answered. 7 A No. 8 MS. LISKOW: Q Okay. So how long did it take 9 you to drive -- Did you drive again? 10 A Yes. 11 Q How long did it take you to drive? 12 A As long as it takes to go a mile up the road. 13 Q What did you say to Ronald Johnson in the 14 car? Did you say I'm surprised you didn't mention the 15 hospital before, anything like that? 16 A I don't know exactly what I said. 17 Q Did you say something to him? 18 A I was kind of surprised. 19 Q Did you tell him you were surprised? 20 A I probably asked him what is up with this. 21 But other than -- I don't know. I didn't take it too 22 personally. 23 Q Were you angry? 24 A No, not really.</p>	<p>1 A Nothing about him being aggravated or 2 anything. 3 MS. LISKOW: Q I asked you whether Mr. Johnson 4 talked to you or whether you talked to Mr. Johnson 5 during these different rides and you said no. Now 6 you're saying that you had conversation? 7 MS. KENDALL: Objection, form of the question. 8 Mischaracterizes testimony. He said he didn't recall. 9 He never said no. 10 MS. LISKOW: Q You're saying that you didn't 11 speak with Mr. Johnson or Mr. Johnson didn't speak 12 with you at various points when he was in your 13 custody? 14 A All the conversation happened at the 15 hospital. 16 Q So you're saying you don't remember your 17 partner saying anything to Mr. Johnson? 18 A No. 19 Q Or Mr. Johnson saying anything to your 20 partner on the ride to the hospital? 21 A No, not that I recall. 22 Q Go back to the hospital. 23 First thing -- Where did you park? 24 A In the emergency room parking lot, right out</p>
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<p>1 Q Were you annoyed? 2 A I'm used to going to the hospital because I 3 worked there. 4 Q Were you annoyed? 5 A No. 6 Q You weren't annoyed at all that you had to go 7 now to the hospital and wait? 8 A We still had four hours in our shift, so it's 9 not -- I wasn't going home early, so it didn't really 10 bother me. 11 Q But is going to the E.R. kind of boring to 12 sit around and wait? 13 MS. KENDALL: Object to the form of the question. 14 A There is a TV there. It's not that boring. 15 MS. LISKOW: Q Did your partner say anything to 16 Mr. Johnson? 17 A I don't recall. 18 Q Did Mr. Johnson say anything to you? 19 A About? 20 Q Anything. 21 A He made conversation throughout the custody, 22 but nothing about -- 23 Q Well, you know -- 24 MS. KENDALL: Are you finished?</p>	<p>1 front. 2 Q What is the next thing? 3 A I signed him in on the triage log. 4 Q Did you all three go sit together? 5 A Yes. 6 Q Like in a waiting room? 7 A There is a police custody room. 8 Q Special room? 9 A A little room. 10 Q Was it just you three there? 11 A I believe so. 12 And I think an ambulance or a couple of 13 paramedics, Chicago paramedics, ran out. 14 Q And what did you talk about with Mr. Johnson 15 when you were in that room? 16 A I don't know. Injuries, life. 17 Q Okay. About the injuries, what -- 18 A He said was injured. He said he had a 19 headache or something. That is all I recall. 20 Q Did he say what he thought the headache came 21 from? 22 A No. 23 Q Did he seem upset at you? 24 MS. KENDALL: Objection. Form of the question.</p>

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1 A Upset at me?  
 2 MS. LISKOW: Q Yes.  
 3 A I don't think he liked me.  
 4 I don't know. I don't know about upset.  
 5 Q Why?  
 6 A His demeanor. He was kind of combative once  
 7 we got him to the hospital. The way he was talking.  
 8 Q Was it anything that he was saying that made  
 9 you feel he was combative or the way he was saying  
 10 things?  
 11 A The manner in which he was asking -- or  
 12 answering.  
 13 Q Like kind of snippy or was he aggressive?  
 14 A You could say snippy.  
 15 Q Was he aggressive?  
 16 A A little bit belligerent.  
 17 Q And did he seem upset at your partner?  
 18 MS. KENDALL: Objection, form of the question.  
 19 A I don't remember.  
 20 MS. LISKOW: Q How long did you -- You said he  
 21 talked about life.  
 22 What did he talk about?  
 23 A I don't know. Going to school. He went to  
 24 Western Illinois. I went to Western Illinois. We

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1 were talking --  
 2 Q Did you go at the same time?  
 3 MS. KENDALL: Let him finish his answer.  
 4 A Possibly. We were the same age.  
 5 MS. LISKOW: Q Do you remember trying to figure  
 6 out if you were there at the same time?  
 7 A Yes.  
 8 Q Did you figure it out?  
 9 A I think we were.  
 10 Q Did you know him at Western Illinois?  
 11 A No.  
 12 Q Had you ever heard of him?  
 13 A No.  
 14 Q What else did you talk about?  
 15 A I asked him if he wanted a candy bar. I went  
 16 and got him a candy bar from the vending machine.  
 17 Q Anything else?  
 18 A Not that I recall.  
 19 Q Anything that you remember your partner and  
 20 Mr. Johnson talking about?  
 21 A No.  
 22 Q Was your partner talking with both of you and  
 23 it was a conversation?  
 24 A I don't remember.

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1 Q But your partner was sitting there?  
 2 A Yes.  
 3 Q How long were you waiting in that room?  
 4 A Not long, about 20 minutes.  
 5 Q Did someone come and get you or get  
 6 Mr. Johnson?  
 7 A His name got called. I walked in the triage  
 8 room with him.  
 9 Q Did your partner stay behind?  
 10 A I think he did.  
 11 Q What happened in the triage room?  
 12 A Small room. I went in there. I removed his  
 13 handcuffs so he could be measured for his blood  
 14 pressure.  
 15 Q What happened next?  
 16 A He did a series of medical procedures that I  
 17 don't really recall. It's kind of a blur.  
 18 Q How many people were in there? How many  
 19 medical personnel?  
 20 A Just the triage nurse.  
 21 Q Just the nurse?  
 22 No doctor?  
 23 A No.  
 24 Q Did a doctor ever come in?

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1 A Not to the triage room, but he went back to  
 2 the -- either the fast track or the emergency room, I  
 3 don't remember.  
 4 Q How long were you in the triage room?  
 5 A Minutes.  
 6 Q And then --  
 7 A Three or four.  
 8 Q Then did you take him back to another room?  
 9 A Then we went back to the police room and  
 10 waited for his name to be called for that.  
 11 Probably another half hour maybe.  
 12 Q What did you talk about during this time?  
 13 A I don't know. Small talk again.  
 14 Q Nothing sticks out in your mind about your  
 15 conversation at that point?  
 16 A No. Not really.  
 17 Q What is your general impression of  
 18 Mr. Johnson.  
 19 MS. KENDALL: Objection to the form of the  
 20 question. It asks for information outside his  
 21 competency.  
 22 A He seemed normal.  
 23 MS. LISKOW: Q Was he likable?  
 24 MS. KENDALL: Objection, form of the question.

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1 about where the information about the person in dark  
2 clothes came from?

3 A It doesn't necessarily. A lot of times it's  
4 anonymous.

5 Q I'm asking about this dispatch call, the one  
6 about the dark clothes person.

7 A It was just a call that was sent over. That  
8 is all I know.

9 I don't know if it was through a person in  
10 the area, anonymous source. I don't know where it  
11 came from.

12 Q Because the dispatch caller didn't identify  
13 where that information came from?

14 A I don't know.

15 Q Might dispatch have indicated that  
16 information, but you just don't remember it? Is that  
17 possible?

18 When I say information, information about  
19 the person in dark clothes came from?

20 MS. KENDALL: Objection to the form of the  
21 question.

22 A It was just sent over. I don't know. I  
23 don't know how it got down to OEC.

24 Q How did you prepare for this deposition

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1 today?

2 Don't tell me anything that you and your  
3 attorneys discussed, but what documents did you  
4 review?

5 MS. KENDALL: Is that your question, what  
6 documents did he review?

7 MS. LISKOW: That is my question right now.

8 MS. KENDALL: You can answer that.

9 A Job query, arrest report, vice case report.

10 MS. LISKOW: Q What was the second one, arrest  
11 report?

12 A Arrest report.

13 Vice case, and an inventory.

14 Q Did you also respond to interrogatory  
15 questions? Do you remember doing that?

16 Do you know what those are?

17 A Interrogations?

18 Q Questions submitted by Plaintiff Ronald  
19 Johnson to you, do you remember responding to those?

20 A Yes. There were some.

21 Q Did you speak with your partner about the  
22 events on April 17, '05 before coming here today?

23 MS. KENDALL: Only outside -- If you were outside  
24 the presence of your attorney.

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1 A No.

2 MS. LISKOW: Q Have you ever spoken with your  
3 partner about your interactions on April 17, 2005 with  
4 Ronald Johnson?

5 MS. KENDALL: Outside the presence of your  
6 attorney.

7 A Outside the presence?

8 MS. LISKOW: Q That goes for all the questions  
9 I'm asking you.

10 A Sure we have.

11 Q When did you talk about it?

12 A Probably when it came up several months --  
13 two months ago maybe.

14 Q When you found out there was a lawsuit?

15 A Yes.

16 Q How many times did you talk about it?

17 A A handful.

18 Q And what did you talk about?

19 A Facts of the case, anything that we might  
20 have been unaware of.

21 Q Like what were you unaware of?

22 MS. KENDALL: Objection to the form of the  
23 question.

24 A Is there anything that we should know? This

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1 is an arrest that we make hundreds of times. It's  
2 nothing.

3 MS. LISKOW: Q You wanted to familiarize  
4 yourself --

5 A Nothing here that really refreshes your  
6 memory more than another.

7 Q Have you ever talked with Officers Brownfield  
8 and Garcia about this arrest -- after the arrest?

9 A No.

10 Q Have you ever spoken with them about the fact  
11 that there is a lawsuit?

12 A No.

13 Q Do you know if they know there is a lawsuit?

14 A I don't know.

15 Q I wonder whatever happened to that Tops box?

16 MS. KENDALL: Objection to the form of the  
17 question.

18 MS. LISKOW: Q When did you see the Tops box  
19 again after you first saw it in Mr. Johnson's hands  
20 when you stopped him?

21 A When I see it?

22 Q When did you first see it?

23 A I don't recall what happened to it.

24 Q Did you ever see it again?

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1 A I can't recall.  
 2 Q Do you recall Mr. Johnson smoking a cigarette  
 3 at any point after he was arrested?  
 4 A Not really.  
 5 Q Not really?  
 6 A No, I don't remember smoking a cigarette.  
 7 Q Just to clarify, you don't know if  
 8 Mr. Johnson ran with the box in his hand when he ran  
 9 away --  
 10 A I don't know if he discarded it or not.  
 11 Q Did you use force against Mr. Johnson?  
 12 MS. KENDALL: Objection to the form of the  
 13 question.  
 14 A I helped pull his arm back.  
 15 MS. LISKOW: Q Did you use force against  
 16 Mr. Johnson?  
 17 MS. KENDALL: Objection. Form of the question.  
 18 Asked and answered. He answered it.  
 19 MS. LISKOW: No, he didn't answer it.  
 20 MS. KENDALL: He did answer it. He said I pulled  
 21 his arm back. How is that not his answer?  
 22 MS. LISKOW: Did you use force against  
 23 Mr. Johnson?  
 24 MS. KENDALL: It's not necessarily a yes or no

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1 answer.  
 2 MS. LISKOW: Q You can answer that.  
 3 A I just used the force necessary for the  
 4 department.  
 5 Q Did you use force against Mr. Johnson?  
 6 MS. KENDALL: Asked and answered.  
 7 You can move on.  
 8 MS. LISKOW: Are you instructing him not to  
 9 answer?  
 10 MS. KENDALL: I'm telling you he answered.  
 11 MS. LISKOW: Q You can answer.  
 12 A I did use minimum force.  
 13 Q Did any -- Did any officers, when they're on  
 14 April 17, 2005, 7630 South Euclid, call Mr. Johnson  
 15 any names?  
 16 A No.  
 17 Q Did any officer kick Mr. Johnson?  
 18 A No.  
 19 Q Did any officers step on Mr. Johnson by  
 20 accident?  
 21 A No.  
 22 Q Did any officer step on Mr. Johnson on  
 23 purpose?  
 24 A I stepped on his leg with my knee. But other

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1 than that, no.  
 2 Q That wouldn't be stepped. That would be more  
 3 like --  
 4 MS. KENDALL: Objection to the form of the  
 5 question. You asked him and he answered.  
 6 MS. LISKOW: Q You put your knee on Mr. Johnson's  
 7 legs?  
 8 A On his leg muscles, yes.  
 9 Q Did anyone put Mr. Johnson in a choke hold?  
 10 A No.  
 11 Q Any officers?  
 12 A No.  
 13 Q In your responses to Mr. Johnson's  
 14 interrogatories, I described to you the  
 15 interrogatories, the questions that Mr. Johnson sent  
 16 over to your attorneys and they sat down with you and  
 17 you answered them.  
 18 Do you recall doing that?  
 19 A Yes.  
 20 Q You responded that you didn't know -- besides  
 21 the people you've mentioned or you didn't know in  
 22 your -- in other documents, you didn't know of anyone  
 23 who had knowledge of this arrest?  
 24 MS. KENDALL: Are you testifying what his answers

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1 were?  
 2 MS. LISKOW: Q I didn't see Mr. Brownfield or  
 3 Mr. Garcia's name listed anywhere on any documents.  
 4 Is that a reason why they weren't listed?  
 5 A No.  
 6 Q Did you forget that they were there?  
 7 A No.  
 8 Q Are you and your partner friends outside of  
 9 work?  
 10 A Yes.  
 11 Q Do you hang out outside of work?  
 12 MS. KENDALL: Objection, form of the question.  
 13 A No.  
 14 MS. LISKOW: Q Never?  
 15 MS. KENDALL: Objection to the form of the  
 16 question.  
 17 A Rarely.  
 18 MS. LISKOW: Q But sometimes.  
 19 MS. KENDALL: Objection. Asked and answered.  
 20 A Rarely is my answer.  
 21 MS. LISKOW: Q So you do hang out.  
 22 A We don't live near one another. It's not --  
 23 He's busy with two young children, so it's not -- not  
 24 that kind of relationship.

66 (Pages 258 to 261)

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